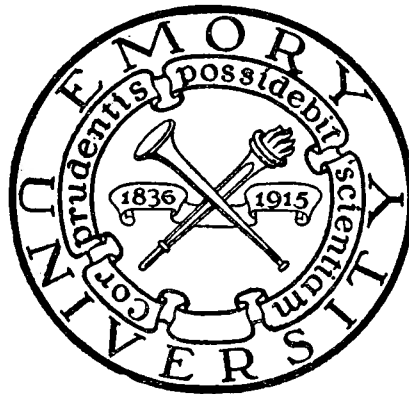


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JOURNAL  
OF  
THE SENATE  
OF THE  
STATE OF GEORGIA

EXTRAORDINARY SESSION

At Atlanta, Wednesday, November 3, 1915.



1915  
CHAS. P. BYRD, State Printer.  
ATLANTA, GA.



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# JOURNAL

SENATE CHAMBER, ATLANTA, GA.,  
Wednesday, November 3, 1915.

The Senate met in extraordinary session at 10 o'clock A. M., and was called to order by the President, Hon. G. O. Persons.

Prayer was offered by the Chaplain, the Rev. J W G. Watkins.

Upon the call of the roll the following Senators answered to their names:

Adams, J. O.	Goolsby, B. E.	Pickett, D. C.
Akin, L. R.	Harbin, T. W.	Pickett, Roscoe
Bailey, L. S.	Harrison, W. T.	Ransom, W. M.
Bonner, T. B.	Holden, Jno. F.	Smith, E. M.
Boykin, H. A.	Lawrence, A. A.	Stovall, A. S. J.
Buchanan, W. A.	Mangham, J. J.	Thomas, J. R.
Burnside, J. B.	Minter, C. C.	Tison, Mark
Callahan, J. W.	Moon, E. T.	Tracy, C. C.
Carlton, J. A.	McCrary, C. R.	Trammell, J. R.
Dobbs, E. P.	McFarland, J. R.	Turner, T. R.
Eakes, W. J.	McLaughlin, B. F.	Ward, C. A.
Fagan, T. V.	Paulk, Geo. A.	Walker, J. D.
Fletcher, H. M.	Paulk, M. J.	Way, J. B.
Gillis, N. L.	Peacock, Z. V.	Wren, W. J.

Those absent were Messrs.:

Haralson, Pat

The President caused the following proclamation to be read:

## PROCLAMATION BY THE GOVERNOR.

In the name and by the authority of the State of Georgia:

WHEREAS, No appropriations to cover the necessary expenses of maintaining the several departments of the State Government and the various institutions of the State after the year 1915, were made at the regular 1915 session of the General Assembly, although Article III, Section VII, Paragraph II of the Constitution of Georgia specifically provides that "no money shall be drawn from the treasury except by appropriation made by law," and

WHEREAS, It is necessary that such appropriations for the years 1916 and 1917 be made before the beginning of the year 1916 in order that the efficiency and continuity of the service of the departments and institutions of the State may be properly maintained, and

WHEREAS, Urgent need exists of deficiency and special appropriations in some cases to cover certain expenditures in several of the departments and institutions maintained by the State, and

WHEREAS, It appears to be impracticable to secure uniform and adequate enforcement of the laws prohibiting the manufacture and sale of intoxicating liquors, as they at present exist, necessitating the early addition to, or amendment of said laws in order to stop, as far as possible, a great, immediate and continuing injury and damage, moral, material and physical, to many of our people, and it is hoped

put an end to the wave of unrest from the disregard of law that seems to have existed in some portions of our State for some time past, and

WHEREAS, The disposition of the Western & Atlantic Railroad at the expiration of the present lease is of great importance to our people and every month of the time allowed for arranging the preliminaries is of value, and

WHEREAS, The question of facilitating credits between those forces that control capital on the one hand and those that control and handle the great volume of the products of the State on the other is of vital importance to the material welfare of the people of Georgia, especially at this time when methods have constantly to be readjusted on account of the great wars now being waged across the seas, and

WHEREAS, There appears to be serious danger of irreparable injury and damage to a new and growing industry in shrimp and prawn in our coast counties through the literal enforcement of our present laws for the protection of fish, which laws seem to be capable of revision in such manner as not only to preserve said shrimp and prawn industry without harm to the fisheries, but to improve, conserve and build up our natural resources in oysters as well, and to provide additional revenue thereby, and

WHEREAS, Some doubts have arisen concerning the validity of the Automobile License Tax, owing to the decisions of some of the courts touching the same, which tax it is stated amounts to about \$110,-

000.00 annually, and the loss of which it is thought could be prevented by a slight amendment of the law providing methods for its collection and disposition, and

WHEREAS, The General Assembly does not meet in regular session until the fourth Wednesday in June, 1916.

NOW THEREFORE, By virtue of the authority vested in me by Article V, Section I, Paragraph 13 of the Constitution, I, Nat E. Harris, Governor of Georgia, do hereby convoke the General Assembly of the State in extraordinary session to meet in their respective halls, at the Capitol, in Atlanta on the third day of November, A. D., 1915, at 10 o'clock A. M., for the following objects, all of which are considered by the Executive of sufficient importance to make the necessity for such extraordinary session:

To consider and enact the general appropriation bill provided for in Article III, Section VII, Paragraph 9 of the Constitution for the years 1916 and 1917, taking such action on the items thereof as such General Assembly may deem advisable;

To consider and take action upon such special and deficiency appropriations as in their judgment may be necessary to maintain the efficiency of the departments and institutions of the State, as well as the authority of the Government thereof;

To consider broadly the question of Prohibition, with the view of making such additions to, or changes in the present laws, as will in the opinion of the

General Assembly secure uniform and adequate enforcement of the same, and prohibit the sale and manufacture of alcoholic, spirituous, malt or intoxicating liquors within the bounds of the State of Georgia;

To consider the question of the future disposition of the Western & Atlantic Railroad after the present lease expires, and to take such action thereon as may be deemed advisable at the extraordinary session;

To consider the establishment of a State Warehouse System and take such action thereon as may be deemed expedient;

To consider and in their discretion amend the laws for the protection of fish and fisheries insofar as they affect the taking of fish, oysters, shrimp and prawn;

To consider the question of amending the Automobile License Tax, authorized in the Act approved August 19, 1913, amending an Act approved August 13, 1910, and any other Acts concerning the same, so as to secure the collection and disposition of said tax.

Given under my hand and the Great Seal of the State at the City of Atlanta, this the twenty-eighth day of September, in the year of our Lord, Nineteen Hundred and Fifteen.

N E. HARRIS,

By the Governor:

Governor.

PHILIP COOK, Secretary of State.



## JOURNAL OF THE SENATE,

STATE OF GEORGIA.

EXECUTIVE DEPARTMENT.

ATLANTA.

I, Raymonde Stapleton, Secretary of the Executive Department, do hereby certify that the above and foregoing typewritten matter is a true and correct transcript from the records of file in this office.

Given under my hand and the seal of the Executive Department, this the 19th day of October, 1915.

RAYMONDE STAPLETON,

Secretary Executive Department.

(Seal.)

The President then declared the Senate convened in extraordinary session under the foregoing proclamation.

The following resolution was read and adopted, to-wit.:

By Mr. McLaughlin—

A resolution instructing the Secretary of the Senate to inform the House of Representatives that the Senate has met in extraordinary session and is ready for transaction of business.

The following resolution was read and adopted, to-wit.:

By Mr. Burnside—

A joint resolution providing for the appointment of a committee of two (2) from the Senate and three

(3) from the House of Representatives to notify His Excellency, the Governor, that the General Assembly has convened in extraordinary session and is ready for the transaction of business.

The President appointed on said committee on part of the Senate Messrs. Burnside and McCrory.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

I am instructed by the House to inform the Senate that the House has convened in extraordinary session and is ready for the transaction of business.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has adopted the following resolution of the Senate, to-wit.:

A resolution providing for a joint committee of three from the House and two from the Senate to inform His Excellency, the Governor, that the General Assembly has convened in extraordinary session.

The Speaker has appointed on said committee, on the part of the House

Messrs. Ayer,  
Dart,  
Strickland.

Mr. Burnside, chairman of the committee on part of the Senate to wait upon His Excellency, the Governor, submitted the following report:

*Mr President:*

The undersigned committee appointed under the joint resolution of the Senate and House of Representatives to wait upon His Excellency, the Governor, for the purpose of notifying him that the two Houses had met pursuant to the proclamation of the Governor, calling the Legislature to convene on this day in extraordinary session, for the purpose of transacting the business therein referred to, beg leave to report that pursuant to said resolution, your committee has notified the Governor that the two Houses of the Legislature have convened in accordance with said proclamation and are ready for the transaction of business.

Respectfully submitted,  
J. B. BURNSIDE, Chairman,  
C. R. McCrory,  
Committee on Part of the Senate.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following resolution of the House, to-wit.:

A resolution providing for a joint session of the House and Senate today at 10:45 o'clock for the

purpose of receiving the message of the Governor, to be delivered by him in person.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following resolution of the House, to-wit.:

A resolution providing for a committee to notify the Governor that the House and Senate will convene at 10:45 for the purpose of hearing his message:

The Speaker has appointed as said committee on the part of the House,

Messrs. Stark,  
Fowler,  
Hutcheson.

The following resolutions of the House were taken up and adopted, to-wit.:

By Mr. Fowler—

A resolution providing for a joint session of the House and Senate at 10:45 o'clock A. M. today to hear the message of the Governor.

By Mr. Stark—

A resolution providing for the appointment of a committee of three (3) from the House and two (2) from the Senate, to notify the Governor that the joint session will be pleased to hear him at 10:45 o'clock A. M. today

The President appointed on said committee on part of the Senate under the above resolution

Messrs. Stovall,  
Goolsby.

The hour of 10:45 o'clock having arrived, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing the message of His Excellency, the Governor.

The President took the chair and called the General Assembly to order.

The resolution convening the General Assembly in joint session was read by the Secretary of the Senate.

Governor Harris was escorted to the Hall of the House of Representatives by the joint committee appointed for that purpose, and upon being presented to the joint session by President Persons, delivered in person the following message:

## GOVERNOR'S MESSAGE

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EXECUTIVE DEPARTMENT, STATE OF GEORGIA.

ATLANTA, GA., Nov. 3, 1915.

TO THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA:

The recent failure of your body to complete the work which was necessary to the proper continuance of the State government has compelled me to call you together in extraordinary session.

The proclamation convoking you is herewith laid before you for such attention as you shall deem it your duty to give it under the Constitution and laws of the State.

I need not now go into any discussion of the unparalleled circumstances which rendered the calling of this session necessary.

I realize the fact that the whole proceedings was brought about through the earnest and settled desire of a majority of your body to take up and consider certain legislation concerning the prohibition of the manufacture and sale of intoxicants in the State of Georgia, which desire a minority of your body prevented you from accomplishing. While the method adopted for compelling an extraordinary session was, I believe, without precedent in the history of our State, in fact was somewhat revolutionary, yet it serves to disclose in a very striking manner the settled determination of a majority of your body that the legislation referred to should be passed on by the General Assembly.

I congratulate you on the changed condition of the business affairs of the State since your last meeting. The increase in the price of cotton and other products has served to encourage our people, make money easier and arouse enthusiasm throughout all our business circles. The lessons of the great war are being studied and learned, and the promise is near by that our future progress will become more brilliant than has ever been anticipated by the most optimistic in our midst.



You will note that I have seen fit to lay before you the following objects, each of which was deemed by me of sufficient importance to make the necessity for such extraordinary session apparent:

1st. The consideration and enactment of the general appropriation bill, with all special and deficiency appropriations deemed proper by your body

2nd. Prohibition in the broadest sense, so as to enable you to make such additions or changes under the present laws as will in your opinion secure uniform and adequate enforcement of these laws.

3rd. The future disposition of the Western & Atlantic Railroad.

4th. The establishment of a State warehouse system.

5th. The protection of the fish, oyster, prawn and shrimp business.

6th. The amendment of the law concerning the automobile license tax.

You can well understand that a large number of other matters was called to my attention during the time which elapsed between the adjournment and the call of the special session. Most of these matters were pending in various stages within the two houses at the time of the adjournment. I have not thought it well to throw the doors wide open, because in the extraordinary session none of the technical work done in the consideration of the various measures before the two houses can be utilized, but everything must begin anew. It will not be so at the regular session next year. I have tried to confine you, there-

fore, to such matters as seemed to me most pressing, and aside from their intrinsic importance, would seemingly arouse as little opposition in their consideration as possible, under the circumstances.

As to the first two great matters which I have included, namely, appropriations and prohibition, upon which the two houses have already divided in your deliberations at the recent session, I have hoped that, as most of the members of the General Assembly had made up their minds touching what they desired to do when the measures came up again, there need be no great amount of discussion before a vote can be taken. A useless prolongation of the extraordinary session would arouse much criticism throughout the State.

#### APPROPRIATIONS.

Upon the attitude of your body towards the departments and institutions of the State, when you come to make appropriations, will depend in a large measure the usefulness and effectiveness of these portions of the government during the term for which you and I were elected.

While a large number of these appropriations are fixed as to amount by existing laws, yet the great bulk is left entirely to your discretion, and upon your good judgment as you deal with them must rest the financial ability of these departments and institutions to properly transact the business for which they were established. They work for the State. Our educational and charitable institutions.

our penal establishment, as well as our governmental departments, have been brought into existence as necessary instruments of the State Government, for the protection, prosperity and advancement of the inhabitants of the Commonwealth. You will decide whether during the two years for which you were elected they shall be enabled to properly perform their recognized and established functions, with that success which shall enable them to keep pace with the growth of the State, or whether they shall be crippled and restricted in their usefulness, and the whole State suffer accordingly.

While I know that it is necessary to exercise great caution in making appropriations so as to keep them within the bounds of the revenue raised to meet them, yet I sincerely believe that you, gentlemen of the General Assembly, will agree with me in the conclusion that it is necessary to give our institutions for the protection of persons and property, for the care of those suffering from mental and moral deficiencies, for the education of our children, a sufficient support, not only to maintain their present standards, but to enable them to continue to expand so as to meet the growing needs of the State.

I have suggested to you before, that a legislator's duty is best discharged by an effort to spend the revenue of the State judiciously, rather than to be constant in the effort to save the same.

It is penny-wise and pound-foolish to cut down an appropriation to a worthy institution on the idea

that it will save a few dollars for the time being, when such institution is conducted for the purpose of providing care and shelter for the sick and insane, or even for giving educational facilities to the young. The progress lost in this way may never be regained. So I confidently hope that a law-making body like yours, which was willing to precipitate a revolution in parliamentary procedure in order to secure the opportunity to further protect those unfortunates, whose wills are not strong enough to resist the temptation to the excessive use of alcoholic stimulants, will certainly not diminish the amount of financial support heretofore given to institutions established on the one hand for the care of those who are already victims of such misfortune, or on the other for directing, molding, upbuilding and strengthening the characters and habits of the boys and girls who must be exposed to those evils in the future.

I call your attention to the work of investigation and research which was done by your committees at the recent session, in the gathering up of facts and statistics to ascertain the real wants of the various departments and institutions of our State, and with confidence, I commit the contents of each of these to the good judgment of the General Assembly.

#### CONTINGENT FUND AND GOVERNOR'S OFFICE FORCE.

I have already communicated to you at the regular session, the condition of the contingent fund, together with the difficulties encountered because of

the limited appropriation for the Governor's office force.

The annual appropriation for the contingent fund, which amounts to \$25,000.00, has been forced to meet several extraordinary calls, such as the salary of a messenger in the Executive Department, the salary of a valuation engineer for the Western & Atlantic Railroad, employed by my predecessor and continued by me, amounting together, to about \$5,000.00, and the expense of the copper mine litigation and other payments, and as a consequence thereof the fund has run very short and will scarcely be sufficient to carry the State through the remaining three months of the year.

I would be glad if the Legislature would either increase the fund or make special appropriations to cover some or all of the items above mentioned.

The employment of a messenger is made necessary by the fact that no appropriation has ever been made to furnish a stenographer to the Governor. He cannot prepare a State paper or answer a letter of one of his constituents without writing in his own hand or borrowing someone to take his dictation. I trust you will find some method in your wisdom to amend this situation.

#### STATE SANITARIUM FOR TUBERCULOSIS.

This institution established at Alto in this State has been suffering greatly for the want of funds. At your recent session an advance of \$10,000.00 over the former appropriation for each of the years 1916

and 1917 was earnestly urged in behalf of this institution. I call special attention to this matter, because as the State has enlisted in the fight against this wide-spread disease, it will be necessary to increase from year to year the appropriation to this sanitarium, if it be expected that the institution perform even to a limited degree the great purpose for which it was established.

#### GEORGIA SANITARIUM AT MILLEDGEVILLE.

This institution is overcrowded and is sadly in need of additional funds. I call attention to the report of its operations and wants recently laid before your body

#### GEORGIA TRAINING SCHOOL FOR GIRLS.

The Georgia Training School for Girls exhausted its fund for maintenance by June 1st of the present year and has been compelled to borrow in order to continue its sessions to this time.

It will be necessary in dealing with this institution if you desire to continue its effectiveness to make a special appropriation of some \$5,000.00 in order to cover the deficit for 1915. This deficit was brought about by reason of the fact that the appropriation for the school began in the middle of the year instead of the first of the year, and consequently no appropriation was made for one half of a year.

#### DEFICIENCY APPROPRIATIONS.

If the General Assembly should determine to include both the regular and deficiency appropria-



tions in the same bill, then I respectfully call your attention to the large deficit existing in the printing fund. This was caused largely by the fact that the bills of the public printing establishment had run over from 1914 to 1915, in which latter year, with the exception of a very small amount, Governor Slaton paid the State Printer \$10,684.00 out of the appropriation made for the year 1915. This step was justified by the fact that the work was done for use during the fiscal year 1915.

The total amount appropriated to the printing fund for 1915 is therefore exhausted and there will be a deficit at the end of the year estimated at some \$20,000.

This printing fund is under charge of the Secretary of State, the Comptroller-General and the Treasurer, and I am informed has been carefully audited and judiciously expended.

It appears that there have been two new departments of the State government created since the General Assembly of 1913 cut down this appropriation from \$40,000.00 to \$35,000.00 per year.

One of the largest items figuring in this deficit is the paying for the reprinting from electrotyped plates of Georgia Reports, which cost about \$9,000.00. From this source the State will derive about \$13,000.00, but this sum will be returned to the general fund of the Treasury instead of to the printing fund.

I earnestly recommend, therefore, that you take this matter up, deal with this deficit, and make such

appropriation to cover the same as you shall deem best for the State.

DEPARTMENT OF PUBLIC BUILDINGS AND GROUNDS.

In the Department of Public Buildings and Grounds there is also an existing deficit which I call to your attention. Several irregularities have been recently discovered in the accounts of the Keeper of Public Buildings and Grounds. These accounts have been kept by the assistant keeper, who filled the position of Captain of the Guard. I had an audit made of this department by certified public accountants and we submit to you a copy of the report for your information.

This report shows outstanding bills against the State due by this department amounting to \$14,210.83. It also discloses a default of \$4,421.78, moneys applied to other purposes than for the use of the State.

The report has been referred to the Attorney-General with directions to insist upon the Keeper of Public Buildings and Grounds replacing the default aforementioned. Even if this amount is replaced there will still exist a deficit in the funds of the department of \$9,789.05. While this is the apparent amount, the real deficit is probably even greater, since it seems that there is only left to the credit of this department funds sufficient to pay the salaries of the necessary employees for the remainder of the year, and afford nothing for the incidentals and supplies required to transact the business of the

State at the Capitol. It would be best for the Legislature to make an appropriation sufficient to cover the total deficit and if the money is recovered from the principal keeper, it can be covered directly into the Treasury.

#### MILITARY DEPARTMENT.

There is a deficit also in the Military Department. The Adjutant-General reports that the sum immediately necessary to relieve the situation in that department amounts to something like \$15,000.00. This sum is made up of the recent riot duty expenses for which the regular appropriation could not be used, amounting to \$5,376.15, which expense has been left unpaid so long that the creditors have almost grown hopeless; also of the charges for caretakers required by the Federal Government, upon which the keeping of our field artillery depends, amounting to \$5,000.00. Another item is armory rentals yet unpaid, which amounts to over \$4,000.00, and which together with a number of other smaller claims make up the sum of \$15,000.00.

I have already expressed myself as to the duty of improving and increasing the effectiveness of the National Guard of this State. I believe the State should co-operate with the National Government in securing this result.

The men composing the National Guard prepare themselves at their own expense, for the protection of the life, liberty and property of the citizens in time of danger. They pay the expenses out of their

own pockets and but for this our State would have no National Guard, and its judicial decrees would be without the ultimate power of enforcement.

I believe that a sufficient amount ought to be appropriated annually from the Treasury of this State to pay the expense of the maintenance of drill halls, the necessary servants' hire in connection with these halls and to pay for the men who must be kept on duty at all times in the Adjutant-General's and Quartermaster-General's departments, and in preserving and taking care of the equipment furnished for the troops, in anticipation of service.

No nation in the present exigencies of the world's advancement can occupy a high and commanding position unless it possesses trained armies or a citizenship educated to take the place of those in time of war. There was never a time in the history of the world when this fact was more distinctly emphasized, than at present. The Union consists of forty-eight Republics or States, and its armies must be drawn from the rank of the citizens of the several States. The country would be utterly hopeless in time of sudden invasion if these citizens were unable to reinforce the small standing army of the National Government.

#### INSURANCE FUND.

There is also a deficit in the fire insurance fund if the law of the State which requires the Governor to insure all the property of the State (Code Sections 147 and 148) is to be literally enforced.

This deficit it is estimated will reach approximately the sum of \$20,000.00. This situation grows out of the fact that the trustees of the eleven A. & M. Schools and Industrial School at Savannah have put in a claim to have their buildings insured. As this had never yet been done the question was referred to the Attorney-General, who decided that the law referred to was mandatory and that the insurance should be obtained. To do this an additional \$20,000.00 will be required to the present appropriation for insurance.

I call the Legislature's attention to the fact that no insurance is being carried on the Capitol building in Atlanta. It has been thought that the guards or watchmen employed in the building both night and day would give sufficient protection. It is a fact, however, that very recently a fire broke out in one of the rooms of the Capitol, by which a considerable amount of property was destroyed, without the guard being advised of the same.

#### OUR EDUCATIONAL INSTITUTIONS.

I sincerely hope that the General Assembly will find it possible to appropriate sufficient funds to our educational institutions to enable them to carry on their work with their present high state of efficiency, and if anything to increase, rather than diminish, their activities and usefulness.

I am informed that as a whole there is probably a larger attendance at these institutions than ever before, probably with one or two exceptions, due to local causes.

## UNIVERSITY OF GEORGIA AT ATHENS.

The branches of the University of Georgia, located at Athens, have a larger attendance than heretofore. The University proper reports a largely increased attendance; the State Normal School has something like 700 students, the annual enrollment promising to exceed anything they have ever had in the past. The State College of Agriculture shows an enrollment this year of 687, against a total enrollment last year of 541. This work is being carried on by a plant originally designed to care for two hundred men. In addition to the students actually enrolled in the college, they serve something like 25,000 people through an extension service and over 200,000 people who are reached through field and miscellaneous meetings.

## TECHNOLOGICAL SCHOOL.

At the Technological School in Atlanta, the apprentice class was abolished this year, and the entrance requirements raised from twelve to fourteen units. In spite of the result produced by this factor, there is an increase of thirty over the same date last year. The net total is now 974, and additional enrollments will probably run the total up to more than 1,000 for the year.

This school has asked for the sum of \$100,000.00 for each of the years 1916 and 1917, being an increase of \$10,000.00. This increase is wanted to care for and put into use the magnificent power plant for the school, which is being erected and equipped

without one dollar of expense to the State. Through the efforts of the alumni of the institution about \$80,000.00 has been raised to erect the buildings for this plant, while the great manufacturers of machinery and material in the north have donated all equipment for the building, valued at \$125,000.00. It would seem, therefore, eminently proper for the General Assembly to appropriate the small annual increase that will enable the institution to utilize this magnificent gift, for the boys of the State who are seeking an industrial education.

#### THE STATE NORMAL SCHOOL.

The State Normal School has asked for an appropriation of \$4,500.00 for the purpose of building an infirmary at that institution. The Elijah Clark Chapter of the Daughters of the American Revolution of Athens has offered to donate \$700.00, more or less, to be applied on said infirmary, provided the State of Georgia should increase that amount to at least \$5,000.00.

This institution reports that it is now using an old servants' house with only sufficient room to care for four patients at a time. A school that is attended by 700 students is likely at any time to have need of accommodations for many more sick than that. No appropriation has ever been made for this purpose to this institution.

#### THE GEORGIA NORMAL AND INDUSTRIAL COLLEGE.

The Georgia Normal and Industrial College at Milledgeville is doing a great work that is limited

only by the capacity of the plant and the financial ability of the school to take care of students. The increase asked for by this institution is much needed and well merited. I would rejoice to see every want of this school met and gratified as I regard it as among the best and greatest of its kind in the Union.

THE NORTH GEORGIA AGRICULTURAL COLLEGE AND  
DISTRICT SCHOOLS.

The North Georgia Agricultural College reports that their enrollment is up to capacity, with a very high personnel in the student body. District school reports have been received from the third, fifth, sixth, seventh, ninth and tenth district A. & M. Schools, all showing increased attendance, and indicating that increased support from the State will relieve pressing needs and enable them to do better and more widely extended work. All of these schools have been recently established, nearly all of them starting with some degree of indebtedness which has handicapped their work to a great extent.

I think that some measure looking to the speedy improvement of these schools will be necessary at an early date. They should be brought closer to the management of the University System of which they are a part, or some agency should be provided in order to secure greater uniformity in the work and a higher degree of efficiency in accomplishment.

When this is done a substantial increase ought to be made to the income of these schools, properly apportioned.



## THE COMMON SCHOOLS.

The work of the common schools of the State cannot be too earnestly commended to your attention. In the fight waged against illiteracy and ignorance, these schools form the first line of battle, and a proper extension of their work, with improvement in the conditions surrounding the splendid men and women devoting themselves to the business, should be one of the chief concerns of the Legislature.

I wish the condition of the Treasury was such that you could make a material addition to the present fund, but in this, and in all other cases, a due regard for the Treasury must not be overlooked.

It affords me much pleasure to inform you that under the recent Act passed at the regular session of this year, which authorized the borrowing of enough money to meet the annual deficiency in the common school fund, arrangements have been perfected to secure the relief authorized by said measure. The full amount of the appropriation of \$2,550,000 has been tendered to the State at a discount of only three per cent. upon warrants covering the same. This splendid offer—flattering alike to the credit as well as the honesty of our State—was made by the Hon. Joseph A. McCord, Governor of the Regional Bank, located in Atlanta. A like offer was also made upon the same terms by the National Park Bank, of New York, our fiscal agent in that city. The warrants have been signed and are now on the way to the parties at interest.

Unless some unlooked for misfortune should oc-

cur it will not be necessary hereafter for the State to postpone the payment of the teachers' salaries in the common schools beyond the day on which they become due.

This lifts a handicap from our schools, the beneficial effects of which will only be appreciated when the results become known to the people.

#### CONFEDERATE VETERANS.

I trust that you will not, in making your appropriations for the coming years, forget the just claims of our Confederate veterans. They stood in the front before many of you were born; few of you can appreciate the suffering incurred, and the hardships through which they passed.

I wish the State could take care of them, increase their small pensions as they grow older and smooth the way to the end with the State's beneficence.

#### VICTIMS OF NARCOTICS.

As the Federal law which prohibits the sale of opiates and other habit-forming drugs is being strenuously enforced, and as a result a large number of unfortunates addicted to the drug habit is being thrown upon the country, many being prosecuted for vagrancy, thus filling up our jails and sanitariums, I think it would be well for the Legislature to take into consideration in making the annual appropriations, the propriety of co-operating with the citizens in providing some place for these unfortunates, until they can be cured and safely allowed to go at large.

Several interesting communications have been received in the Executive Offices covering this subject, and I would be glad to have the Legislature inquire into the same, as the trouble is growing larger every day. Some of the courts are sentencing the victims to the State Farm as vagrants, and if this is allowed to go on, will soon fill the farm to overflowing, and make space difficult for the regular convicts of the ordinary type.

#### BOLL WEEVIL.

Mr. Worsham, the State Entomologist, has furnished to me a report touching some present needs in the fight now going on against the boll weevil in the State.

I regard this as one of the most important matters which the State has to deal with at the present time.

The communication of Mr. Worsham is hereby laid before you, and your attention is asked thereto, so that you can take such steps to carry into effect his recommendations as you may see fit.

#### FINANCES.

The condition of the Treasury at the present time is practically normal. According to report received from the Treasurer on Monday, November 1st, the available balance amounts to some \$151,267.36.

There will be a steady influx of the taxes from now on, and it has therefore been practicable to make the usual payments to the schools and

public institutions, keep up the civil establishment, and reserve a reasonable balance to meet all the exigencies of the situation.

I accompany this message with a letter from the Comptroller-General referring to the results of the tax returns for 1915 as compared with those of 1914. There was no very great depreciation in the county returns, owing largely to the advantageous application of the Tax Equalization Law.

While the tax rate has been raised in a very slight degree, yet it is hoped for the next year, if the present Legislature is as considerate as your predecessors, there may be a reduction in this rate, so that the people may appreciate the value of the law which seeks to equalize all the burdens of this character among those liable to taxation in the State.

#### THE PROHIBITION LAWS.

The failure of the General Assembly to pass on the prohibition measures at the summer session brought about the present extraordinary session.

It was contended by the majority that the representatives of the people had the right to vote on these matters, and that the use of filibustering tactics to prevent the same was not authorized. I have thought fit, therefore, to include this subject matter in the call, because it seemed to me demanded by the situation itself. The fact that the Legislature would take so extreme a step was an indication of unrest and dissatisfaction throughout the State with the present prohibition laws.

After the adjournment of the Legislature on Au-

gust the eleventh, requests, petitions and memorials, both pro and con, began to reach the Governor's office on the subject of including prohibition in the call for the extraordinary session. The number of those urging the inclusion of the subject in the call far exceeded the number of those who opposed the same. Over two-thirds of the membership of the House, and a large majority of the members of the Senate, joined in the request to include the subject, assuring the Executive that proper laws bearing on the subject would be promptly passed at the extra session, should opportunity be given.

In addition large numbers of petitions were received from grand juries, from church organizations, from civic bodies, from called meetings, public officers and thousands of individual citizens from nearly all the business callings and professions of the State.

Many poor women connected with no organizations made their pilgrimages from various parts of the State to the Executive office, saying that they were only drunkards' wives, but wanted to add their voices to those of the other friends of temperance throughout the State in behalf of the enactment of these laws.

I believe it is the sentiment of the great majority of the people of Georgia that some measure should be enacted which will facilitate the enforcement of our prohibition laws. Georgia has occupied a very singular position. While classed among the States having prohibition, yet it is unfortunately the fact that the law has been so loosely administered in

various parts of the Commonwealth that her position has become a reproach to the prohibition cause.

The differences of opinion between the advocates of prohibition and the opponents of the same are so radical that it is doubtful if they could ever be reconciled. Large numbers of our citizens believe that these laws are infringements upon personal liberty. They are, therefore, opposed to them on principle. On the contrary, a still larger number of our people believe that these laws are the surest and best means of aiding the temperance cause among the people, and do not infringe on any vested right of a citizen. They believe that they can be enforced, and if this were done, that the moral, physical and social interests of the State would be greatly improved.

While the matter was under consideration, a statement was handed the Executive by one of the advocates of prohibition, setting out the results of the law in a State where it seems to be practically enforced, the State of Kansas. This statement was forwarded by me to the Governor of Kansas, where prohibition has been in operation for thirty-five years, and he writes me that same is correct. It says:

“A half million young men and women in Kansas over twenty-one years of age have never seen a saloon in that State. There is not a Kansas newspaper which publishes a liquor advertisement. Since Kansas adopted prohibition illiteracy has been reduced to less than two per cent. There is only one pauper in every 3,000 population. Eighty-eight of the hundred and five counties have no insane on

county farms, fifty-four no feeble-minded on county farms, and ninety-six no inebriates. Thirty-two poor farms have no inmates. Some counties have not called a jury to try a criminal case in ten years. In one Kansas county, there has not been a grand jury called for twenty-five years."

It is needless for me to say to the General Assembly that such statements and publications circulated throughout the country arouse the very greatest enthusiasm among the advocates of prohibition, and it is not surprising in many cases these advocates become so strongly convinced that there appears to them to be no other side to the question. The ideal enforcement of the law is always the object to be sought after. Our own State, for the first six months following the adoption of the prohibition law, furnished a shining example.

The radical differences of opinion between the advocates of prohibition and the opponents thereof have brought on conflicts at every session of the Legislature for the past five years, and taken up the time of the General Assembly without result or advantage. The valuable time of the legislators has been consumed in an effort to thrash out these questions, concerning which there seems to be no possibility of agreement.

I concluded, therefore, in obedience to the demands of the Legislature itself, and of a large majority of the people who communicated with me on the subject, that it would be better to settle the matter at an adjourned session if possible, so that the regular

session could be taken up with other constructive legislation.

There were three measures presented worthy of consideration at the recent session, but it is not necessary for the Executive in this message to go into the relative merits of any of the measures that were pending.

The people demand that more stringent laws should be enacted, so that the benefits of the legislation shall be fully enjoyed by all the inhabitants of the State. The celebrated Webb-Kenyon Act, passed by the National Congress, March 1, 1913, prohibiting the shipment of intoxicating beverages into dry States, and enabling the General Assemblies of these States to place restrictions upon shipments for personal use, has never yet been adopted in Georgia.

I most earnestly advise the Legislature to put this Act into immediate operation under such terms and restrictions as shall seem best in your judgment. By doing this, the State authorities will have the co-operation of the National Government in the prevention of many of the violations of the prohibition law, and this co-operation, without doubt, can be made effective in preventing the shipment for unlawful purposes into the State of the prohibited articles.

I think, too, as the sale of liquor in Georgia is not permitted, it would be well to prevent the advertisement of the same, and that this law should go into effect at once.

It was also proposed at the regular session to repeal the licensing of near beer, locker clubs and such institutions, which the law has made legal since



Jan. 1, 1908. In dealing with this matter, it would be proper for the Legislature to give a fair and reasonable time to those engaged in the business for re-adjusting their affairs and finding other occupations or lines of business, alike for those who are employed in the occupation as for those who own the plants.

It has been customary in all such cases where the business has been licensed by the State to allow such reasonable time for re-adjustment. Should the time for the law to take effect be fixed at any period between the first and the last of the fiscal year, it will be necessary that authority be given directly in the Act to prorate the license taxes on a basis according to the time in the fiscal year when the business must cease.

I have not deemed it necessary to go further into the discussion of the prohibition question. The people of Georgia are trying it out, and I sincerely believe are convinced that if the law can be enforced, it will be of great interest and advantage to the State at large. I agree with them in this belief.

The question is fast becoming economic with all the governments of the world. The effect on the race was growing great—becoming so widespread, so general in its results for evil, that the safety of the people became involved—and statesmen, ethical and philosophical writers, thinking men everywhere do not hesitate to urge upon States and Legislatures the necessity of attempting to curb the results of intemperance by enacting such measures as shall in every case be suited to the situation.

You have before you the condition of our great State. Its mixed population, its growing business interests, its splendid progress in recent times, the demand for economy in living and the necessity to utilize all the strength of its people in pushing it forward on the highway to progress and prosperity are fully within your knowledge.

I trust that you will meet the situation without prejudice or partisan feeling, but determine, at all events, that prohibition of the genuine kind shall have a fair trial in Georgia. If it fails, then something else must be resorted to to save the people, but till then, let it have the right-of-way.

#### WESTERN & ATLANTIC RAILROAD.

Feeling the joint responsibility which devolves upon the General Assembly and the Executive touching the disposition of the Western & Atlantic Railroad at the termination of the present lease, I have included this subject among the others submitted to you for action at the present term.

While I recognize fully that no final conclusion can be reached concerning this matter, yet I think it important that certain preliminary steps should be taken without further delay to bring about the disposition of the road at the termination of the present lease.

The lease expires on December 27, 1919, and the re-leasing of the road will involve the execution of a contract covering several millions of dollars.

The road itself is the most valuable single tangible asset that the State of Georgia owns, and plays

a large part in upholding the credit of the State, inasmuch as the Constitution provides that it shall be a security for the payment of the entire public debt of the Commonwealth.

The present lease brings an income of only \$35,001.00 per month. It is believed that after this lease has terminated, the income may be decidedly increased, thus adding materially to the public school fund and to the general assets of the Treasury

A number of important facts concerning the road have been brought to the attention of my office since I entered upon its duties. Some of these should be considered by you in passing on the questions which the subject will bring before you.

There is now going on an important proceeding instituted by the Interstate Commerce Commission under the Act of Congress, having for its object the valuation of all the railroad property of the United States. The purpose of this valuation is, among other things, to provide a basis for the fixing of interstate rates on the railroads in the future. That Commission has issued some twenty valuation orders with reference to work required to be done by the owners and operators of railroad property—which work is intended to assist the Commission in reaching a final valuation. Fifteen of these orders apply to the Western & Atlantic road. The actual inventory of the road will begin by the government engineers on or about January 1, 1916—a little less than two months off.

The Nashville, Chattanooga & St. Louis Railway Co., the present lessee, has for some months, acting

under instructions of the Interstate Commerce Commission, been attempting to comply with the provisions of this valuation law, especially in so far as it involves the ascertainment of the original cost of the property to date, the cost of reproduction new, and the cost of reproduction less depreciation, in addition to the other elements of value going into the property as a whole.

My predecessor, former Governor Slaton, impressed with the importance of the situation to the people, thought fit to appoint a special engineer in behalf of the State, to aid in this valuation and take care of the State's interests therein. The engineer so appointed served from May 1 to September 15, 1915, and upon notice that he would be unable to continue the work, I left the order in force and appointed Mr. J. H. Johnston to fill his place.

These special engineers, Messrs. Durham and Johnston, report to me that it will be an exceedingly difficult, if not an utterly impossible, undertaking to ascertain the original cost of the road. They state that none of the books of the road bearing on its construction have been preserved, that only about twenty or twenty-five per cent. of the original deeds remain, that the maps, made in pursuance of the authority given in the Act of the Legislature of 1895, are utterly incomplete and filled with many discrepancies. They also inform me that it will be a difficult matter to ascertain the cost of reproduction new owing to the fact that in all probability the terminal properties in Atlanta and Chattanooga, when properly assessed will prove of really more value than the

entire line besides. It will be difficult to determine these values definitely, and to do so approximately will require both time and investigation.

The matter of intangible values must also be considered, franchises, custom, facilities for connection—all these things must go into the subject of valuation, and about which, of course, there can be no mathematical exactness.

With these conditions urged upon us by our own engineers—and with experienced railroad men at variance in their ideas concerning the value of the road, it would seem to follow that the sooner the Legislature takes hold of the matter for final disposition, the better it will be for the interests of all concerned.

I trust, therefore, that the Legislature at the present session will find it possible to take the preliminary steps necessary to dispose of the road in a manner most profitable to the State. The lessee is now preparing a complete set of maps of the system, the cost of which will run into thousands. I am informed that the State can secure a copy of these maps by expending about \$200.00, if application is made therefor in due season.

The experts of the lessee company are already in the field placing estimates and values upon our property. The experts of the government will soon follow them, and a final valuation soon will be reached upon which will depend very largely the leasing value of the property in the future.

Judging by the past, it would be best to have some form of commission appointed to take charge

of the whole matter. This commission should be required to co-operate with the authorities of the Nashville, Chattanooga & St. Louis Railway Company and the government, in the present valuation work. It should be clothed with such authority as the Legislature may deem proper in reference to the obtaining and compiling all data—the gathering up of facts and putting the matter in shape for final disposition.

The members of the commission, if selected outside the legislative body, should be strong, disinterested railroad and business men of unimpeachable integrity and able to comprehend the situation, and just enough to do what is right in the premises.

I would suggest that it would be advisable to have on this commission the present Chairman of the Railroad Commission of the State, whose wide experience, unimpeachable integrity and unfailing devotion to his State, eminently qualify him to represent her in the leasing of her property.

Provision should be made for the necessary expenses of the commission, and for the suitable and adequate compensation of the members selected from the State at large.

I recommend, if such commission is created, that there be embodied in the Act full authority to secure bids for a specified minimum or maximum term of years at a rental to be specified by the bidder. I am not decided whether it would be best to include the minimum rental in the Act.

I believe it would be better for the State to make

a long-term lease, and it ought to be the duty of the commission to look into this, and if a long-term lease is agreed upon, let it be understood that the lessee company will expend the necessary funds for double tracking the road, abolishing the curves, and making other improvements, impossible under a short-term lease. It should be distinctly provided that all such improvements revert to the State at the expiration of the lease.

I think the question of re-imbursing the counties through which the road runs for expense of courts should be considered by the commission, and relief given to the counties aforesaid, inasmuch as no taxes can be levied upon the property.

The commission should also ascertain whether any portion of the terminal property at either end of the road can be efficiently disposed of without materially decreasing the rental value of the whole.

I would recommend that this commission report to the regular term of the General Assembly in June 1916.

Many considerations concur in bringing about a belief on the part of the Executive that the present is the best and most opportune time to consider the matter of re-leasing the road at a figure that will be just to the State and secure its highest interests for the future.

I have outlined my ideas of the powers with which the commission should be clothed merely as suggestions to your body, for I know you have investigated the subject carefully at the recent term and it seems to me you should be able to reach a conclusion

at an early date without any great discussion or difference of opinion concerning the same.

### STATE WAREHOUSE SYSTEM.

I am convinced that the time has arrived when some proper legislation is needed to authorize a more adequate warehouse system for our farm products. The following is the result which should be sought:

First. The removal from our cotton producers of the necessity of marketing their crop as fast as gathered.

Second. The giving of encouragement to those planting and harvesting other crops than cotton, so that the farmers of the State may raise a necessary food supply, with a reasonable expectation of having a steady market, and the ability to handle such products on as good terms as they can handle cotton.

The details of this proposed legislation have been studied by many members of the General Assembly, and I have thought it worth while to include it in the call for the extraordinary session.

I recognize the fact that there will be differences of opinion as to what is the best method of handling the situation, but I have no hesitation in calling on the Legislature to examine carefully into the matter and see if some remedy cannot be applied to meet the present unsatisfactory situation.

Cotton has always been Georgia's foremost money crop, and it will, beyond every doubt, continue to be so for many years to come. This great staple, first planted in Georgia in Seventeen Hun-



dred and Thirty-four, has grown in importance until today it turns into our coffers annually approximately two hundred millions of dollars.

The process of cultivating the crop has been improved. The process of separating the lint from the seed has undergone a vast change. The process of manufacturing the raw lint into the finished product has undergone a change still more phenomenal; and yet today, we have practically about the same mode of marketing our crop as was in vogue a half century ago.

It is an undisputed fact that no system devised by man can be deemed to be perfect. It stands to reason, therefore, that our present antiquated system can be improved, and it remains for you gentlemen, as representatives of your people, to say whether these improvements are to be made under State supervision.

It will be a glorious day for Georgia when her sturdy sons, the very backbone of the State, upon whom we all depend for our sustenance and wealth, can know that their warehouse receipts mean ready cash without a forced sale. The banks, in the time of need, have the notes of the merchants to secure them; the merchants have the notes of the farmers as collateral; the farmer has no security to offer and, consequently, is perhaps forced to throw his crop upon the market at a ruinous price.

We find upon every hand, the great crying need of today is for better credit facilities for the farmers, that they may go forward, feed and clothe the world, and enrich themselves by their industry

Should we adopt a warehouse system and make it possible for the farmer to secure a reduced interest rate on his products, I am told that this would probably form a valuable aid to our rural credits system, to which this General Assembly has pledged itself.

The small farmer who has no land would certainly be benefitted, and the large farmer who has much land would have an additional advantage added to the rural credit system we are earnestly hoping to obtain.

The interest of the farmer has been the football of politics for a long time. I believe the end has come, and that the people do not desire more of this.

The law should provide that all warehouses of the State should be eligible to qualify under the rules provided for securing the end in question, and if this can be done without unnecessary expense or hardship we will not be troubled with the fear of concentrating the cotton crop in certain localities, rather than handling it at the point of production.

I have included the matter in the present call, because it was represented to me that it was an emergency measure, that it would be necessary to have some law enacted if it was expected to get the system in operation by time of the marketing of the crop in 1916.

If the legislation can be carefully drawn, guarded at all points, made not too cumbrous or complicated, it seems to me that it would eventually prove to be one of the most beneficial pieces of constructive legislation enacted in many years.

I have always contended that the people of the South can raise cotton better than any other people on earth. Their lands are also fitted for grain and food-stuff. If the two crops could be developed together by the farmers, our prosperity would soon attain to the highest possible point of perfection. It would be easy to diversify the crops of Georgia if the storing and marketing facilities of other States were afforded.

I have been thus careful in calling this matter to your attention, because I am persuaded that it will not be an easy task to so adjust the legislation to meet the precise wants of the farmer, banker and warehouseman.

Unless there is unanimity as to the form of the legislation touching the subject when you begin its consideration, and unless you feel assured that you can at this time enact a measure that will be satisfactory to the people, and accomplish the desired results, then I suggest that you refer the whole matter to a committee to be appointed from the two houses, who shall report their conclusions to the next session of the Legislature, with the appropriate, proposed legislation accompanying same.

PROTECTION OF FISH, OYSTERS, SHRIMP AND PRAWN.

Section 612, Volume 2, of the Code of Georgia of 1910, makes it a misdemeanor to "catch or take any fish with seine, net, gig or spear, or like device from any of the waters of this State, between the first day of February and the first day of July in each year, except with hook and line." While shrimp and

prawn are classed as fish, it might well be held that this section was not intended to apply to them as they are not susceptible of being caught with hook and line. As the process of catching them in nets, however, involves the catching of quite a large number of scale fish which are undoubtedly covered by the section, a technical violation of the law must necessarily result from the use of nets in order to take shrimp or prawn.

A large industry in the taking and shipping of these fish has grown up within the past few years in the coast counties of the State. I am informed that these industries support some 10,000 people at this time and are rapidly growing. I am also informed that a closed season for fish or prawn from May first to August first of each year would give abundant protection to almost every species of fish, including shrimp and prawn, during the entire spawning period. The time of greatest activity for the taking of shrimp and prawn seems to be from January first to May first and the strict enforcement of the Code Section above referred to would entail great hardship upon the people engaged in this industry, without corresponding benefit to the natural fish supply.

I commend to your consideration the bill that was introduced in the Senate at the summer session, which passed that body by an almost unanimous vote, and which not only changes the closed season in accordance with the above statement, but provides for the preservation of our natural resources in fish and oysters, affording a revenue that will meet the neces-

sary expense for carrying out these provisions and furnishing a surplus for the school fund of the State.

The measure referred to was originally prepared by experts on the subject from the coast counties of Georgia and from the Bureau of Fisheries at Washington, who had before them the experience of other States in these matters.

I am informed that this bill is satisfactory to the parties concerned and I bespeak for this measure your careful consideration, not only for the benefit of the people interested in the industries themselves, but for the good of the State at large in the conservation of a valuable source of food supply, and in the production of additional revenue for the Treasury.

#### AUTOMOBILE LICENSE TAX.

The State Automobile License Tax authorized under the Act approved August 19, 1913, amending an Act approved August 13, 1910, is now being attacked in the courts on the ground of unconstitutionality.

The charge made is that the tax is a revenue measure, and that inasmuch as the State already taxes the automobile ad valorem, it cannot levy another tax in the guise of a license or specific tax.

The Act came up in the Superior Court of Chatham County, Judge Charlton presiding, and the learned judge, after holding the law unconstitutional on the ground aforesaid, went on to discuss the validity on other grounds, stating that in his opinion, the method of distribution pursued was unfair to the counties. It is the subject of litigation in

other forums, and the case is now pending in the Supreme Court that will doubtless settle the question of constitutionality.

I have included the question as one of the objects in the extraordinary call because of the possibility of the court's contention being sustained, which result would cause the loss of approximately \$120,000.00 in the revenue of the State.

If the law is declared unconstitutional, it would also put an end to an important and necessary regulation on the part of the State in regard to these vehicles.

It will be noticed that there is no provision made for the enforcing of this tax, the good faith of the taxpayer being largely concerned in the matter.

I respectfully suggest to the General Assembly the advisability of investigating the subject, and of making such amendments to the law as would meet the contention of those who claim the tax to be invalid. This, as I understand, can be done so as to sustain the present tax levy.

The fund is now divided among the several counties in proportion to the road mileage of those counties. It has been suggested that it would be well to direct the money to be paid into the Treasury as a special fund to be applied to the road work of the counties, either by a Highway Commission to be hereafter established, or by some commission including the Treasurer and the Secretary of State.

I commend the whole question to you for consideration, and trust that in your wisdom you will be

able to devise some method by which the tax can be saved to the State.

CONCLUSION.

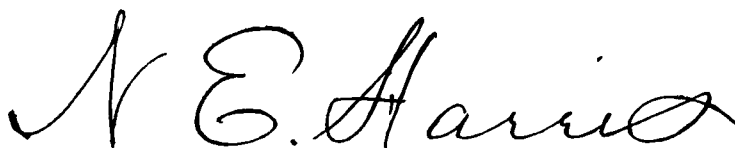
I have gone into the matters set forth in this message, not with a view of arousing any kind of antagonism, or challenging controversy.

The crisis is an important one and the cost of the extra session to the people will be determined by the value of the work. One measure might compensate for all the expense of the session.

I appeal to the patriotism of your body, and trust that no useless expense will be incurred, and no time thrown away in getting down to an immediate consideration of the measures submitted to you for the session's work.

The people of the State will stand ready to give credit for the course that has been taken, if you bring the session to an early adjournment; you will thereby save from expense and mortification the constituents who sent you to transact their business in this great forum, and keep your State on the pedestal which her greatness entitles her to occupy.

Respectfully submitted,

A handwritten signature in cursive script, reading "N. E. Harris". The signature is written in dark ink and is positioned above the printed name "Governor.".

Governor.

On motion the joint session was dissolved, and the Senators returned to the Senate Chamber.

The Senate was called to order by the President.

The following bills were read the first time:

By Messrs. Walker and Mangham—

A bill to create a Warehouse Commission for the State of Georgia, provide for the licensing of warehouses, and for other purposes.

Referred to Committee on Agriculture.

By Messrs. Eakes and Walker—

A bill to amend Section 426 of the Penal Code of 1910, by striking therefrom certain words.

Referred to Committee on Temperance.

By Messrs. Eakes and Walker—

A bill to repeal all laws which prescribe or authorize taxes upon the manufacture, sale and storage of substitutes for intoxicants, to repeal the law that authorizes a tax on lockers kept by clubs and for other purposes.

Referred to Committee on Temperance.

By Messrs. Eakes and Walker—

A bill to limit the amount of shipments of liquor in Georgia.

Referred to Committee on Temperance.

By Messrs. Stovall and Harbin—

A bill to make clearer the present laws of Georgia



upon prohibition, regulate traffic, manufacture and sale of liquors and for other purposes.

Referred to Committee on Temperance.

By Messrs. Stovall and Harbin—

A bill to regulate the shipment of alcoholic liquors and for other purposes.

Referred to Committee on Temperance.

By Messrs. Mangham and Ransom—

A bill to promote temperance by preventing the advertisement or solicitation of orders for alcoholic, vinous and malt liquors.

Referred to Committee on Temperance.

By Messrs. Dobbs and McLaughlin—

A bill to provide for the leasing or other disposition of the Western & Atlantic Railroad.

Referred to Committee on Western & Atlantic Railroad.

The following resolution was read and adopted:

By Mr. Turner—

A resolution providing for the appointment of a committee of two (2) from the Senate and three (3) from the House to investigate the affairs of the Keeper of Public Buildings and Grounds.

The President of the Senate appointed as said committee, under the above resolution, on part of the Senate,

Messrs. Turner,  
McCrory

The following resolution was read and adopted by a unanimous vote, to-wit.:

By Mr. Persons of the 22nd District—

WHEREAS, Hon. Chas. P. Hansell, Assistant Secretary of the Senate, is not in his accustomed place on this, the day of the convening of the Senate in extra session because of the serious illness of his beloved wife,

BE IT THEREFORE RESOLVED by the Senate of Georgia in session assembled, That the members of this body do lament the affliction which has come upon our faithful and efficient Assistant Secretary, and that we hereby express to him our deep sympathy with the hope that the cloud now hovering over his household may soon completely disappear by the speedy restoration of his beloved wife to health again.

BE IT FURTHER RESOLVED, That the Secretary of the Senate do transmit a copy of these resolutions to Judge Hansell.

Upon motion the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.,

Thursday, November 4, 1915.

The Senate met pursuant to adjournment at 10 o'clock A. M. and was called to order by the President.

Prayer was offered by the Rev. J. M. Bowden of Forsyth, Ga.

Upon the call of the roll the following members answered to their names:

Adams, J. O.	Gcolsby, B. E.	Pickett, D. C.
Akin, L. R.	Harbin, T. W.	Pickett, Roscoe
Bailey, L. S.	Harrison, W. T.	Ransom, W. M.
Bonner, T. B.	Holden, Jno. F.	Smith, E. M.
Boykin, H. A.	Lawrence, A. A.	Stovall, A. S. J.
Buchanan, W. A.	Mangham, J. J.	Tison, Mark
Burnside, J. B.	Minter, C. C.	Tracy, C. C.
Callahan, J. W.	Moon, E. T.	Trammell, J. R.
Carlton, J. A.	McCrary, C. R.	Turner, T. R.
Dobbs, E. P.	McFarland, F. R.	Ward, C. A.
Eakes, W. J.	McLaughlin, B. F.	Walker, J. D.
Fagan, T. V.	Paulk, Geo. A.	Way, J. B.
Fletcher, H. M.	Paulk, M. J.	Wren, W. J.
Gillis, N. L.	Peacock, Z. V.	

Those absent were Messrs.:

Haralson, Pat	Thomas, J. R.
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The journal of yesterday's session was read and confirmed.

Mr. Harbin of the 43rd District, Chairman of the Committee on Temperance, submitted the following report:

*Mr President:*

Your Committee on Temperance has had under consideration the following bill of the Senate and instructed me as their chairman to report same back to the Senate with the recommendation that same do pass, to-wit.:

A bill to promote temperance by preventing advertisements of or solicitations of orders for alcoholic, spirituous, vinous or malted liquors.

Respectfully submitted,

T. W. HARBIN, Chairman.

Mr. Harbin of the 43rd District, Chairman of the Committee on Temperance, submitted the following report:

*Mr President:*

Your Committee on Temperance has had under consideration the following bills of the Senate and instructed me as their chairman to report same back to the Senate with the recommendation that same do pass as amended, to-wit.:

A bill to amend Section 426 of the Penal Code of 1910, by striking certain words.

A bill to repeal all laws of the State of Georgia which prescribe or authorize taxes upon the manufacture, sale or storage of substitutes for intoxicants.

A bill to limit the amount of shipments of liquor in Georgia.

Respectfully submitted,

T. W. HARBIN, Chairman.

The following Senate bill was read the first time:

By Messrs. Moon and Ward—

A bill to provide for the re-leasing of the Western & Atlantic Railroad.

Referred to Committee on Western & Atlantic Railroad.

The following Senate bills were read the second time, to-wit.:

By Messrs. Eakes and Walker—

A bill to amend Section 426 of the Penal Code.

By Messrs. Eakes and Walker—

A bill to repeal all laws which prescribe or authorize taxes upon the manufacture, sale and storage of substitutes for intoxicants.

By Messrs. Eakes and Walker—

A bill to limit the amount of shipments of liquor in Georgia.

By Messrs. Mangham and Ransom—

A bill to promote temperance by preventing advertisement of, or solicitation of orders for, alcoholic and malt liquors.

Upon motion of Mr. Eakes, (300) three hundred copies of each of the Senate bills affecting the prohibition of the sale of spirituous or malt liquors in Georgia were ordered printed for the use of the Senate.

At 10:30 o'clock A. M. the Senate took a recess subject to the call of the chair.

At 11:20 o'clock A. M. the Senate reconvened and was called to order by the President.

Mr. Dobbs of the 35th District, Chairman of the Committee on Western & Atlantic Railroad, submitted the following report:

*Mr. President:*

Your Committee on Western & Atlantic Railroad has had under consideration the following bill of the Senate and instructed me as their chairman to report the same back to the Senate with the recommendation that same do pass, to-wit.:

A bill to provide for the leasing of the Western & Atlantic Railroad.

Respectfully submitted,

E. P. DOBBS, Chairman.

The following Senate bill was read the second time:

By Messrs. Dobbs and McLaughlin—

A bill to provide for the leasing of the Western & Atlantic Railroad.

Upon motion of Mr. McLaughlin three hundred (300) copies of the above bill were ordered printed for use of the Senate.

At 11:25 o'clock A. M., upon motion, the Senate adjourned until 10 o'clock tomorrow morning.

SENATE CHAMBER, ATLANTA, GA.,

Friday, November 5, 1915.

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following Senators answered to their names:

Adams, J. O.	Goolsby, B. E.	Pickett, D. C.
Akin, L. R.	Harbin, T. W.	Pickett, Roscoe
Bailey, L. S.	Harrison, W. T.	Ransom, W. M.
Bonner, T. B.	Holden, Jno. F.	Smith, E. M.
Boykin, H. A.	Lawrence, A. A.	Stovall, A. S. J.
Buchanan, W. A.	Mangham, J. J.	Thomas, J. R.
Burnside, J. B.	Minter, C. C.	Tison, Mark
Callahan, J. W.	Moon, E. T.	Tracy, C. C.
Carlton, J. A.	McCrary, C. R.	Trammell, J. R.
Dobbs, E. P.	McFarland, J. R.	Turner, T. R.
Eakes, W. J.	McLaughlin, B. F.	Ward, C. A.
Fagan, T. V.	Paulk, Geo. A.	Walker, J. D.
Fletcher, H. M.	Paulk, M. J.	Way, J. P.
Gillis, N. L.	Peacock, Z. V.	Wren, W. J.

Those absent were Messrs.:

Haralson, Pat

Upon motion the reading of the journal of yesterday's session was dispensed with.

An invitation from the Secretary of the Decatur Board of Trade inviting the Senate to attend the DeKalb County Fair on November 10, 1915, was read and accepted.

Mr. Wren of the 18th District, Chairman of the Committee on Agriculture, submitted the following report:

*Mr. President:*

Your Committee on Agriculture has had under consideration the following bill of the Senate and instructed me as their chairman to report the same back to the Senate with the recommendation that same do pass:

A bill to create a Warehouse Commission for the State of Georgia, providing for the licensing of warehouses and for other purposes.

Respectfully submitted,

W. J. WREN, Chairman.

Upon motion Senate Bill No. 7 was ordered recommit-  
ted to the Committee on Western & Atlantic  
Railroad.

The following Senate bill was read the second  
time:

By Messrs. Walker and Mangham—

A bill to create a Warehouse Commission for the  
State of Georgia.

The following Senate bill was read the first time:

By Messrs. Akin and Adams—

A bill to provide for the protection and propaga-  
tion of fish, shrimp, oysters, etc.

Referred to the Committee on Game and Fish.



The following Senate Bill was read the third time to be put upon its passage:

By Messrs. Eakes and Walker—

A bill to amend Section 426 of the Penal Code of 1910, by striking therefrom the words, “or other drinks which if drunk to excess will produce intoxication,” and for other purposes.

Messrs. Stovall and Harbin offered the following substitute to the foregoing bill:

By Mr. Stovall of the 30th District, and Mr. Harbin of the 43rd District—

#### A BILL

To be entitled an Act to make clearer and more certain the laws of Georgia heretofore enacted for prohibiting the manufacture of alcoholic, spirituous, vinous and intoxicating liquors and beverages, traffic therein, and the keeping on hand thereof in public places or for illegal sale, and particularly the Act approved August 6, 1907, commonly called the Prohibition Law; to prevent evasions and violations thereof, to remove misconceptions as to the meaning and intent thereof, and to make the enforcement thereof more speedy, certain and effective; which purposes are herein to be accomplished by more specifically defining and enumerating the liquors and beverages, and classes of liquors and beverages, that are or shall be hereafter construed as embraced within the prohibition of this Act or

of said former laws, and the manufacture of which, traffic or dealing in which, and keeping of which on hand, are now, or from now shall be, prohibited in this State; by more specifically enumerating the persons and classes of persons to whom, and the places or classes of places in which, such manufacture, traffic and keeping on hand, are, or hereafter shall be, prohibited; by prohibiting the State or any of its counties or municipalities to license the sale, dealing in, or furnishing of any such liquors or beverages, or any imitation of or substitute therefor; by repealing all laws authorizing any such licensing; by entirely forbidding the keeping or maintaining, or the aiding in the keeping or maintaining of any place of resort where such liquors or beverages are kept to be drunk on the premises by persons resorting there for that purpose, or any club room or other place where such liquors or beverages are received or kept for barter, sale, use or gift as a beverage, or for the distribution or division among the members, or any club or room for or of any association where such liquors or beverages are kept for the purpose of being consumed by the members thereof or their guests or other persons, either on the premises or near the same, or any place adjacent to or near any such premises where such members or others may resort for such purposes; by declaring to be common nuisances certain enumerated places and classes of places, where said laws are evaded or violated, and to provide for their abatement as

such; by prohibiting the keeping or storage of such prohibited liquors or beverages for another; by prescribing, for judges, grand juries and other public officers, certain duties looking to the better and more effective enforcement of said laws; and by abolishing all property rights in said liquors and in certain enumerated classes of physical objects when kept or used for the purpose of violating said laws; by providing for abatements, injunctions, quo warrantos to forfeit corporate charters, and other remedial proceedings when necessary or appropriate to carry out or enforce this or said former laws, or in aid of said prohibitions; by prescribing rules of evidence relative to judicial proceedings in said matters; by making other necessary and incidental rules ancillary to the principal objects of the law, and for other purposes.

Section 1. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by the authority of the same, That the term "Prohibited Liquors and Beverages," whether used in this Act or in any other Acts to promote temperance or to suppress the evils of intemperance, shall include and be deemed to embrace the following: (1) Alcohol, alcoholic liquors, spirituous liquors and all mixed liquors any part of which is spirituous, foreign or domestic spirits, or rectified or distilled spirits; absinthe, whiskey, brandy, rum and gin; (2) vinous liquors and beverages; (3) all malted, fermented or brewed liquors of any name or description, manufactured from malt wholly or in part, such as beer, lager beer, near-

beer, porter and ale and all brewed or fermented liquors and beverages in which maltose is a substantial ingredient, whether alcoholic or not or whether intoxicating or not; (4) and any drinks, liquors or beverages containing one-half of one per cent of alcohol or more, by volume at 60 degrees Fahrenheit; or any other liquids or liquors manufactured or sold, or otherwise disposed of, for beverage purposes, containing said amount of one-half of one per cent of alcohol or more; (5) any intoxicating bitters or beverages by whatever name called; (6) all liquors and beverages or drinks made in imitation of or intended as a substitute for beer, ale, wine or whiskey, or other alcoholic or spirituous, vinous or malt liquors, including those liquors and beverages commonly known and called near-beer.

Sec. 2. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person, firm, association of persons or corporation, within the limits of this State to manufacture, sell, offer for sale, keep for sale, barter, furnish at public places, keep on hand at a place of business or at or in any social, fraternal or locker club, or otherwise dispose of any of the prohibited liquors and beverages described in Section 1 of this Act, or any of them, in any quantity; but this inhibition does not include, and nothing in this Act shall affect, the social serving of such liquors and beverages in private residences in ordinary social intercourse.

Sec. 3. Be it further enacted by the authority aforesaid, That from and after the taking effect of

this Act it shall not be lawful or authorized for the State, or any county or municipality therein, to license within this State, the sale, dealing in, or furnishing of any of said prohibited liquors or beverages, including imitations of or substitutes therefor.

Sec. 4. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person, firm, association of persons or corporation, directly or indirectly, to keep or maintain or in any manner aid or abet in keeping or maintaining, any of the following places, which are hereby declared to be unlawful drinking places and common nuisances: (1) Any place or resort where the liquors or beverages mentioned in Section 1 of this Act, or any of them, are kept to be drunk upon or about the premises by persons resorting there for that purpose; (2) any club, room or other place in which are received or kept for the purpose of barter or sale, or use or gift as a beverage, or for distribution or division among or to be furnished to or used by members of any club or association of persons by any means whatever the prohibited liquors and beverages, or any of them, referred to in Section 1 of this Act; (3) any club room or room for or of any association of persons in which said liquors or beverages or any of them are kept or stored for the purpose of being drunk or consumed by the members of such club or other association of persons, or their guests or others on the premises, or at or near the place where such liquors or beverages or any of them, are kept or stored; (4) any place adjacent to or near the prem-

ises of any club, corporation or association, or other combination of persons, to which members or their guests, or others, by the permission of members, resort for the purpose of drinking the said liquors and beverages, or any of them, that are kept at or near such places. Any of the places herein designated if kept and maintained shall be and constitute an unlawful drinking place, and the act of keeping and maintaining any such room or place shall be deemed a separate offense for each day that it continues. Any place or room kept or maintained in violation of the provisions of this section shall be deemed to be a common nuisance and may be abated by writ of injunction issued out of the superior court upon a bill filed by the State Attorney-General or the solicitor-general of the circuit, or by any citizen or citizens of such county, such bill to be filed in the county in which the nuisance exists. And all rules of evidence and the practice and procedure that pertain to proceedings in equity generally in this State may be invoked and applied in any injunction procedure hereunder. Any chartered club or incorporated association of persons under the law of Georgia that is guilty of violating any of the provisions of this section, or maintains or keeps any such place as hereinbefore described, shall forfeit its charter, and such forfeiture may be declared by proceedings in quo warranto against the club or incorporated association in a court of competent jurisdiction in the county where the unlawful act is committed.

Sec. 5. Be it further enacted by the authority

aforesaid, That if any person shall let or suffer any other person, persons, firm or corporation to use any premises which he owns or controls, for the illegal sale, keeping for sale, manufacture or other unlawful disposition of the liquors and beverages mentioned in Section 1 of this Act, or any of them, he shall be guilty of a misdemeanor.

Sec. 6. Be it further enacted by the authority aforesaid, That the unlawful manufacture, sale or keeping for sale, or disposition of any of the liquors and beverages mentioned in Section 1 of this Act contrary to the law of the State shall, at the option of the landlord, work a forfeiture of the rights of any lessee or tenant under any lease or contract for rent of the premises where such unlawful act is performed by the lessee or tenant, or by any agent, servant, clerk or employee of the lessee or tenant with the latter's knowledge or permission.

Sec. 7 Be it further enacted by the authority aforesaid, That the keeping of the liquors or beverages or any of them, mentioned in Section 1 of this Act, in any building not exclusively used for a dwelling, shall be prima facie evidence that they are kept for sale or with intent to dispose of same contrary to the law.

Sec. 8. Be it further enacted by the authority aforesaid, That the delivery of such liquors and beverages mentioned in Section 1 of this Act, or any of them, from any store, shop, warehouse, boat or other vessel, or vehicle of any kind, or from any

shanty, or tent, or building or place used for the purpose of traffic, or any dwelling house or dependency thereof, if any part of the same is used as a public eating house, grocery store or other place of common resort, shall be prima facie evidence of a sale or other unlawful disposition.

Sec. 9. Be it further enacted by the authority aforesaid, That the following are hereby declared to be common nuisances and may be abated as such upon complaint of the State Attorney-General, or the solicitor-general of the circuit, or any citizen or citizens of the county: (1) Any rooms or structures used for the unlawful manufacture, sale, keeping for sale or other unlawful disposition, of the liquors and beverages mentioned in Section 1 of this Act, or any of them; (2) all houses, shops or places where the said liquors and beverages or any of them, are sold, bartered, kept for sale, or otherwise disposed of, to be drunk on or near the premises, or where such liquors or beverages, or any of them, are kept for the purpose of sale or other unlawful disposition thereof; (3) all places of resort where persons are permitted to resort for the purpose of drinking such liquors or beverages, or any of them, mentioned in Section 1, on or about the premises; (4) any public eating place where the said liquors and beverages, or any of them, mentioned in Section 1 are sold or served for beverage purposes.

Sec. 10. Be it further enacted by the authority aforesaid, That in any trial in any of the courts of the State to abate or enjoin any common nuisance



as defined by this statute, or in any prosecution of any person or persons or corporations for any violation of this Act, any application for the internal revenue special tax receipt of the United States as required by Section 3239 of the revised statutes of the United States or any internal revenue special tax receipt as required by said section of said revised United States statutes for retail or wholesale of spirituous, malt or intoxicating liquors in the State of Georgia, shall be made, and the same is hereby made, prima facie evidence of guilt, and shall be sufficient to charge the onus of burden of proof on the defendant in any such cases, providing that nothing in this Act shall apply to regularly licensed retail or wholesale druggists who under the prohibition Act of August 6, 1907, are allowed to sell alcohol, and provided that this Act is supplemental to and shall not repeal any provisions of the Act approved August 21, 1911, Number 272, relating to evidence in cases for violation of the prohibition law.

Sec. 11. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person, firm or association or corporation to receive for storage, distribution or on consignment for another, the said liquors and beverages mentioned in Section 1 of this Act, or any of them, or to have and maintain any warehouse or other place for the receiving, storing or disposition of said liquors for another, and any person violating this section shall be guilty of a misdemeanor.

Sec. 12. Be it further enacted by the authority

aforesaid, That no person shall be excused from testifying before the grand jury or in any trial in any prosecution for violation of this Act upon any complaint for the enforcement thereof, but no disclosure or discovery made by such person as a witness shall be used against him in any penal prosecution for, or on account of, the matters disclosed.

Sec. 13. Be it further enacted by the authority aforesaid, That witnesses before the grand jury to give evidence may be required to answer generally as to any offense against the laws of Georgia for the promotion of temperance, and the suppression of intemperance, committed within their knowledge during the two years next preceding, or as to any violation within said time of any law of the State prohibiting the manufacture, sale or other disposition of any of said prohibited liquors and beverages, or the maintaining of any unlawful drinking place or liquor nuisance, and it shall not be necessary to first specially interrogate the witnesses as to any particular offenses, but a witness must not be prosecuted for any offense as to which he testifies before the grand jury, and the solicitor or any member of the grand jury may be a witness to prove that fact.

Sec. 14. Be it further enacted by the authority aforesaid, That the judges of all courts impanelling grand juries shall give in charge to said grand jury the anti-liquor laws of this State, and those enacted for the purpose of promoting temperance and suppressing the evils of intemperance, and he shall instruct them to investigate and return indictments

against all persons guilty of violating said laws, or any provision of them.

Sec. 15. Be it further enacted by the authority aforesaid, That no clerk, servant, agent or employee of any person accused of a violation of the laws to promote temperance and to suppress intemperance, or prohibiting the sale, manufacture or other disposition of prohibited liquors or beverages, shall be excused from testifying against his principal for the reason that he may thereby incriminate himself, nor shall any principal be excused from testifying against any clerk, servant, agent or employee in such cases; but no testimony so given by any of said parties shall in any prosecution be used as evidence, directly or indirectly, against him.

Sec. 16. Be it further enacted by the authority aforesaid, That the sheriffs of the various counties shall at least once every month, between the first and tenth days of the month, procure from the office of the United States internal revenue collector the name of each person, firm or corporation to whom a United States internal revenue license or tax stamp has been issued, as a wholesale or retail liquor dealer, or a wholesale dealer or retail dealer in malt liquors, or a brewer or rectifier of spirits, and the name of each person, firm or corporation that has complied with the laws of the United States to become or carry on the business of a distiller in his county, and such sheriff shall immediately thereafter cause to be published for two successive weeks in some newspaper in his county in such black type as

will call special attention thereto, the names of said parties, together with the location of their places of business, giving street numbers when obtainable. For such services the sheriffs shall each receive the sum of \$25.00 per annum, and the expense and cost of publishing the same, to be paid out of the general funds of his county. Any sheriff who shall fail, neglect or refuse to comply with the provisions of this section shall be guilty of a misdemeanor, and shall be punished, upon a conviction, by a fine of not less than \$50.00 nor more than \$500.00, and may be sentenced to hard labor for the county for not exceeding six months.

Sec. 17 Be it further enacted by the authority aforesaid, That when a sheriff obtains from the internal revenue collector a list of persons who have paid United States special tax as a wholesale or retail dealer or malt dealer, or as a brewer, or have qualified under the laws of the United States to be a rectifier or distiller of spirits in his county, he shall promptly furnish the solicitor-general or other prosecuting officer who prosecutes criminal cases in the county on behalf of the State, with said list, or a copy, and it shall thereupon be the duty of such solicitor or other prosecuting attorney so notified to take active steps to secure the conviction of such persons and the prevention of a continued violation of the law of the State by such person or party, and he shall proceed by injunction, or criminal prosecution, one or all, according as his judgment dictates shall be most effective in securing the enforcement of

the law against such party or parties, if he is willing and able to make the affidavit required by law, and if he is not he shall proceed by such injunction or criminal prosecution, one or all, according as his judgment dictates shall be most effective in securing the enforcement of the law, if any reputable citizen offers to make or will make the affidavit necessary to secure the warrant, or preliminary injunction, in which case he shall superintend the preparation of the papers and the prosecution of the cause; and any solicitor-general or other prosecuting attorney or sheriff who fails to comply with the requirements of this section shall forfeit the sum of \$500.00 to the State for such dereliction.

Sec. 18. Be it further enacted by the authority aforesaid, That any solicitor-general or other prosecuting attorney in the county whose duty it is to prosecute criminal cases on behalf of the State shall not be prohibited from commencing prosecution on his own affidavit against any party violating any provision of this statute or any other law of the State of Georgia for the suppression of the evils of intemperance, and it shall be the duty of every such solicitor-general upon receiving information giving him probable cause to believe that there has been a violation of any statute upon the subject named, to proceed to lay the matter before the grand jury or to institute a criminal prosecution against said party by affidavit before a court or judge of competent jurisdiction if he is willing and able to make such affidavit for the institution of a criminal prosecution,

or if he is not he must superintend the preparation of the papers and the institution of the prosecution, if any citizen is willing to make an affidavit for the institution of a criminal prosecution against any party for such violation, provided the solicitor is of the opinion upon the facts at hand that there is reasonable ground to believe that a conviction ought to be had. And sheriffs are charged with the duty of being on the alert for violations of any of such statutes and with co-operating with the solicitors and prosecuting attorneys in bringing violators to justice.

Sec. 19. Be it further enacted by the authority aforesaid, That in all prosecutions against any persons for manufacturing, selling, offering for sale, keeping or having or otherwise disposing of prohibited liquors and beverages, or for any one of the said acts, it shall be competent for the State to give in evidence the fact that the beverage which the evidence may tend to show the defendant had manufactured, sold, bartered, exchanged, furnished, given away, or otherwise disposed of, possessed or possesses the same color, odor and general appearance, or the same taste, color and general appearance of a prohibited liquor or beverage, such as whiskey, rum, gin, ale, porter, beer, and other prohibited liquor or beverage, and the fact that the beverage in question is of the same color, odor and general appearance, or same taste, color and general appearance as beer shall constitute prima facie evidence that the beverage is beer, or a malt liquor or a

substitute; and the like rule of evidence shall apply in respect to whiskey and the other beverages named, and in the event the defendant claims the beverage in question is not within the inhibition of the statute when it possesses the same color, odor and general appearance, or the same taste, color and general appearance as a prohibited liquor or beverage, such as whiskey, beer or other beverages named, the burden of proof shall be upon him to establish to the reasonable satisfaction of the judge, court or jury trying the case, that the beverage in question is not within the inhibition of the said statute, and that it is a beverage not prohibited by the said statute to be manufactured, sold, offered for sale or otherwise disposed of. The same rule of evidence shall be applicable in all cases for the abatement of liquor nuisances by bills in equity, and in all prosecutions for violations of statutes of the State for the suppression of the evils of intemperance, when it becomes necessary to determine whether the liquor or beverage is a prohibited liquor or beverage.

Sec. 20. Be it further enacted by the authority aforesaid, That no property rights of any kind shall exist in said prohibited liquors and beverages, or in the vessels kept or used for the purpose of violating any provision of this Act or any law for the promotion of temperance or for the suppression of the evils of intemperance; nor in any such liquors when received, possessed or stored at any forbidden place or anywhere in a quantity forbidden by law, or when kept, stored or deposited in any place in this State

for the purpose of sale or unlawful disposition, or unlawful furnishing or distribution; and in all such cases the liquors and beverages, and the vessels and receptacles in which such liquors are contained, and the property herein named, kept or used for the purpose of violating the law, as aforesaid, are hereby declared to be contraband and are to be forfeited to the State when seized, and may be ordered and condemned to be destroyed after seizure by order of the court that has acquired jurisdiction over the same, or by order of the judge or court after conviction when such liquors and such property named have been seized for use as evidence.

Sec. 21. Be it further enacted by the authority aforesaid, That if for any reason any section, paragraph, provision, clause or part of this Act shall be held unconstitutional or invalid, that fact shall not affect or destroy any other section, paragraph, provision, clause or part of the Act that is not in and of itself invalid, but the remaining portions shall be in force without regard to that so invalidated.

Sec. 22. Be it further enacted by the authority aforesaid, That no repeal or superseding or modification of any existing law or ordinance resulting from this Act or any other Acts for the promotion of temperance or the suppression of the evils of intemperance, enacted at this session, shall affect any existing right, remedy, defense or liability incurred, or any action or prosecution, civil or criminal, already commenced, or which may hereafter be commenced, for any offense already committed or com-



mitted prior to the taking effect of this Act, or any action or prosecution enforcing a right, penalty or punishment under such repealed, superseded or modified law or ordinance, and as to all such cases the laws and ordinances in force at the time of the taking effect of this Act shall continue in force.

Sec. 23. Be it further enacted by the authority aforesaid, That any violation of any provision of this Act shall be a misdemeanor and the persons so offending shall be punished as prescribed by Section 1065 of the Penal Code of Georgia of 1910.

Sec. 24. Be it further enacted by the authority aforesaid, That, except as the same may be modified hereby, the Act of August 6, 1907, commonly called the Prohibition Law, which is now contained in Sections 426 to 433 of the Penal Code of Georgia of 1910, shall not be deemed repealed by this Act.

Sec. 25. Be it further enacted by the authority aforesaid, That this Act shall take effect on January 1st, from and after the date of its passage.

Sec. 26. Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Upon motion of Mr. Stovall, the Senate voted to order the previous question upon the bill, substitute and all amendments thereto, at 11 o'clock A. M.

Messrs. Elakes and Walker offered the following amendment to the bill, which was adopted:

Amend by striking out the words, "effective upon the passage of this Act," and insert in lieu thereof the words, "effective January 1st, 1916."

Mr. Pickett of the 11th District offered the following amendments to the substitute, which were adopted, to-wit.:

Moves to amend by striking the following words in the eleventh line of Section 1: "containing one-half of one per cent of alcohol or more," and inserting in lieu thereof the following words: "containing not more than one-half of one per cent of alcohol;" and by striking the following words in the sixth and seventh lines of Section 19: "containing one-half ( $\frac{1}{2}$ ) of one per cent (%) of alcohol or more," and inserting in lieu thereof the following words: "containing not more than one-half of one per cent of alcohol."

Mr. Boykin offered the following amendment to the substitute:

Amend by striking Sections 16 and 17 of said substitute and numbering each section consecutively thereafter.

Upon the adoption of the amendment the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

Adams, J. O.  
Bailey, L. S.  
Boykin, H. A.  
Burnside, J. B.  
Carlton, J. A.

Eakes, W. J.  
Fagan, T. V.  
Fletcher, H. M.  
Gillis, N. L.  
Lawrence, A. A.

Minter, C. C.  
McLaughlin, B. F.  
Paulk, Geo. A.  
Pickett, Roscoe  
Smith, E. M.

Tison, Mark  
Trammell, J. R.

Ward, C. A.

Walker, J. D.

Those voting in the negative were Messrs.:

Akin, L. R.	Holden, Jno. F.	Ransom, W. M.
Bonner, T. B.	Mangham, J. J.	Stovall, A. S. J.
Buchanan, W. A.	Moon, E. T.	Thomas, J. R.
Callahan, J. W.	McCrary, C. R.	Tracy, C. C.
Dobbs, E. P.	McFarland, J. R.	Turner, T. R.
Goolsby, B. E.	Paulk, M. J.	Way, J. B.
Harbin, T. W.	Pickett, D. C.	Wren, W. J.
Harrison, W. T.		

Those not voting were Messrs.:

Haralson, Pat                  Peacock, Z. V.

Ayes 19, nays 22.

The amendment was declared lost.

Mr. Eakes offered the following amendment:

Amend substitute bill by striking out that part of Section 2, line 6, which reads, "but this inhibition does not include and nothing in this Act shall affect the social serving of such liquors and beverages in private residences in ordinary social intercourse."

Upon the adoption of the amendment the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

Buchanan, W. A.	Lawrence, A. A.	Smith, E. M.
Burnside, J. B.	Minter, C. C.	Thomas, J. R.
Carlton, J. A.	McLaughlin, B. F.	Ward, C. A.
Eakes, W. J.	Paulk, Geo. A.	Walker, J. D.
Gillis, N. L.	Pickett, Roscoe	Way, J. B.

Those voting in the negative were Messrs.:

Adams, J. O.                  Akin, L. R.                  Bailey, L. S.

Bonner, T. B.	Harrison, W. T.	Ransom, W. M.
Boykin, H. A.	Holden, Jno. F.	Stovall, A. S. J.
Callahan, J. W.	Mangham, J. J.	Tison, Mark
Dobbs, E. P.	Moon, E. T.	Tracy, C. C.
Fagan, T. V.	McCrary, C. R.	Trammell, J. R.
Fletcher, H. M.	McFarland, J. R.	Turner, T. R.
Goolsby, B. E.	Paulk, M. J.	Wren, W. J.
Harbin, T. W.	Pickett, D. C.	

Those not voting were Messrs.:

Haralson, Pat	Peacock, Z. V.
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Ayes 15, nays 26.

The amendment was declared lost.

Mr. Lawrence moved to reconsider the action of the Senate in ordering the previous question upon the bill and its substitute at 11 o'clock A. M., and upon this motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

Burnside, J. B.	Lawrence, A. A.	Smith, E. M.
Eakes, W. J.	Minter, C. C.	Thomas, J. R.
Gillis, N. L.	McLaughlin, B. F.	Ward, C. A.
Goolsby, B. E.	Pickett, Roscoe	

Those voting in the negative were Messrs.:

Adams, J. O.	Harrison, W. T.	Ransom, W. M.
Akin, L. R.	Holden, Jno. F.	Stovall, A. S. J.
Bailey, L. S.	Mangham, J. J.	Tison, Mark
Bonner, T. B.	Moon, E. T.	Tracy, C. C.
Boykin, H. A.	McCrary, C. R.	Trammell, J. R.
Buchanan, W. A.	McFarland, J. R.	Turner, T. R.
Callahan, J. W.	Paulk, Geo. A.	Walker, J. D.
Fagan, T. V.	Paulk, M. J.	Way, J. B.
Fletcher, H. M.	Pickett, D. C.	Wren, W. J.
Harbin, T. W.		

Those not voting were Messrs.:

Carlton, J. A.	Haralson, Pat	Peacock, Z. V.
Dobbs, E. P.		

Ayes 11, nays 28.

The motion was declared lost.

The question recurred upon the adoption of the substitute as amended, and upon this question the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.:

Adams, J. O.	Goolsby, B. E.	Paulk, M. J.
Akin, L. R.	Harbin, T. W.	Pickett, D. C.
Bailey, L. S.	Harrison, W. T.	Ransom, W. M.
Bonner, T. B.	Holden, Jno. F.	Stovall, A. S. J.
Boykin, H. A.	Mangham, J. J.	Tison, Mark
Buchanan, W. A.	Minter, C. C.	Tracy, C. C.
Callahan, J. W.	Moon, E. T.	Trammell, J. R.
Carlton, J. A.	McCrory, C. R.	Turner, T. R.
Dobbs, E. P.	McFarland, J. R.	Way, J. B.
Fagan, T. V.	McLaughlin, B. F.	Wren, W. J.
Gillis, N. L.	Paulk, Geo. A.	

Those voting in the negative were Messrs.:

Burnside, J. B.	Lawrence, A. A.	Thomas, J. R.
Eakes, W. J.	Pickett, Roscoe	Ward, C. A.
Fletcher, H. M.	Smith, E. M.	Walker, J. D.

Those not voting were Messrs.:

Haralson, Pat	Peacock, Z. V
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Ayes 32, nays 9.

The substitute as amended was declared adopted.

Upon the question of the passage of the bill, by

substitute, as amended, the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.:

Adams, J. O.	Gillis, N. L.	Pickett, D. C.
Akin, L. R.	Goolsby, B. E.	Ransom, W. M.
Bailey, L. S.	Harbin, T. W.	Stovall, A. S. J.
Bonner, T. B.	Harrison, W. T.	Thomas, J. R.
Boykin, H. A.	Holden, Jno. F.	Tison, Mark
Buchanan, W. A.	Mangham, J. J.	Tracy, C. C.
Burnside, J. B.	Minter, C. C.	Trammell, J. R.
Callahan, J. W.	Moon, E. T.	Turner, T. R.
Carlton, J. A.	McCrary, C. R.	Ward, C. A.
Dobbs, E. P.	McFarland, J. R.	Walker, J. D.
Eakes, W. J.	McLaughlin, B. F.	Way, J. B.
Fagan, T. V.	Paulk, Geo. A.	Wren, W. J.
Fletcher, H. M.	Paulk, M. J.	

Those voting in the negative were Messrs.:

Lawrence, A. A.      Pickett, Roscoe

Those not voting were Messrs.:

Haralson, Pat      Peacock, Z. V.      Smith, E. M.

Ayes 38, nays 2.

The bill, having received the requisite constitutional majority, was passed by substitute as amended.

The following resolution was read and adopted:

By Mr. Harrison—

That when the Senate adjourns today it stands adjourned until Monday morning, November 8th, 1915, at 11 o'clock.

The President then declared the Senate adjourned until Monday morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GA.,

Monday, November 8, 1915.

The Senate met pursuant to adjournment at 11 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon motion the call of the roll was dispensed with.

Mr. Stovall gave notice that at the proper time he would move to reconsider the action of the Senate in the passage by substitute as amended of Senate Bill No. 2 on Friday

Upon motion the reading of the journal was dispensed with.

The committee appointed to investigate certain charges as to the management of the Soldiers' Home, submitted the following report:

*Mr. President:*

In pursuance of a resolution at the last session of the Senate, appointing a committee to investigate the charges preferred in regard to the Soldiers' Home of the Confederates, being located in Atlanta, Ga., the undersigned, appointed in pursuance of said resolution, beg to submit the following report:

Your committee made a thorough investigation, heard the testimony of all witnesses produced by the

complainants, and all evidence produced and offered on the part of the trustees of the Soldiers' Home.

In addition thereto your committee made a rigid personal inspection of said Home, inspecting all conditions, and made an examination of the house, the living quarters, the hospital and all else connected with the Home of the Confederate Soldiers.

Your committee is pleased to state that we found everything neat and clean and was agreeably surprised to find the conditions in as good and as cleanly shape as they were.

The living quarters were neat and cleanly.

The hospital was, under all the circumstances, a credit to the management, neat and kept in a cleanly and comfortable condition, reflecting great care and credit upon the management.

The main building, the living quarters, was found to be well kept, clean and all that could be expected. We found the fare as good as could be with the means at hand, better than the average country hotel.

We found a very large majority of the inmates contented and satisfied with what they received.

We found a few mal-contented, who were dissatisfied with what the State provided and did not like the management, but upon an investigation and examination of the very men who complained, we found that their complaints were entirely without foundation. The State of Georgia is to be congratulated for the good care taken of her unfortunate soldiers, who spent four of the best years of their lives in



defense of their country, and in the evening of their lives are cared for and protected from want.

In Dr. Amos Fox, we find a careful, considerate manager, doing all in his power to make the last days of these old soldiers happy and contented, and if he errs, we believe it is on the side of mercy.

We found from the evidence adduced, that the matron, Mrs. Ella Wimbish, is kind and considerate and makes every effort to have the old soldiers made as comfortable as possible, devoting her every energy to the welfare of the inmates of the Home.

We find that the matron of the hospital, Mrs. Mary Robertson, is careful and attentive to the old soldiers who are sick and unfortunate, and deserves credit for the manner in which she handles the sick.

Your committee is indebted to Hon. H. W. Bell and Hon. R. DeT. Lawrence, two of the trustees who were present and rendered all the assistance possible to get at the real conditions that existed at the Soldiers' Home.

Your committee employed a stenographer and had all the evidence taken down, which evidence is herewith attached and made a part of the committee's report.

B. F. McLAUGHLIN,  
J. B. WAY,  
H. A. BOYKIN,  
MARK TISON,  
J. R. THOMAS,

Committee.

On motion of Mr. McLaughlin two hundred (200) copies of the evidence attached to the report were ordered printed for the use of the Senate.

Mr. Stovall moved to reconsider the action of the Senate on Friday in the passage by substitute as amended of the following bill of the Senate, to-wit.:

By Messrs. Eakes and Walker—

A bill to amend Section 426 of the Penal Code of 1910, by striking therefrom certain words.

The motion prevailed.

Upon motion of Mr. Stovall the following bill of the Senate was taken up and put upon its passage, to-wit.:

By Messrs. Eakes and Walker—

A bill to amend Section 426 of the Penal Code of 1910, by striking therefrom certain words.

Messrs. Stovall and Harbin offered the following substitute to the bill:

### A BILL

To be entitled an Act to make clearer and more certain the laws of Georgia heretofore enacted for prohibiting the manufacture of alcoholic, spirituous, vinous and intoxicating liquors and beverages, traffic therein, and the keeping on hand thereof in public places or for illegal sale, and particularly the Act approved August 6, 1907, commonly called the Prohibition Law; to prevent evasions and vio-

lations thereof, to remove misconceptions as to the meaning and intent thereof, and to make the enforcement thereof more speedy, certain and effective; which purposes are herein to be accomplished by more specifically defining and enumerating the liquors and beverages, and classes of liquors and beverages, that are or shall be hereafter construed as embraced within the prohibition of this Act or of said former laws, and the manufacture of which, traffic or dealing in which, and keeping of which on hand, are now, or from now shall be, prohibited in this State; by more specifically enumerating the persons and classes of persons to whom, and the places or classes of places in which, such manufacture, traffic and keeping on hand are, or hereafter shall be, prohibited; by prohibiting the State or any of its counties or municipalities to license the sale, dealing in, or furnishing of any such liquors or beverages, or any imitation of or substitute therefor; by repealing all laws authorizing any such licensing; by entirely forbidding the keeping or maintaining or the aiding in the keeping or maintaining of any place of resort where such liquors or beverages are kept to be drunk on the premises by persons resorting there for that purpose, or any club room or other place where such liquors or beverages are received or kept for barter, sale, use or gift as a beverage, or for the distribution or division among the members, or any club or room for or of any association where such liquors or beverages are kept for the

purpose of being consumed by the members thereof or their guests or other persons, either on the premises or near the same, or any place adjacent to or near any such premises where such members or others may resort for such purposes; by declaring to be common nuisances certain enumerated places and classes of places, where said laws are evaded or violated, and to provide for their abatement as such; by prohibiting the keeping or storage of such prohibited liquors or beverages for another; by prescribing for judges, grand juries and other public officers, certain duties looking to the better and more effective enforcement of said laws; and by abolishing all property rights in said liquors and in certain enumerated classes of physical objects when kept or used for the purpose of violating said laws; by providing for abatements, injunctions, quo warrantos to forfeit corporate charters, and other remedial proceedings when necessary or appropriate to carry out or enforce this or said former laws, or in aid of said prohibitions; by prescribing rules of evidence relative to judicial proceedings in said matters; by making other necessary and incidental rules ancillary to the principal objects of the law, and for other purposes.

Section 1. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by the authority of the same, That the term "Prohibited Liquors and Beverages," whether used in this Act or in any other Acts to promote temperance or to suppress

the evils of intemperance, shall include and be deemed to embrace the following: (1) Alcohol, alcoholic liquors, spirituous liquors and all mixed liquors any part of which is spirituous, foreign or domestic spirits, or rectified or distilled spirits; absinthe, whiskey, brandy, rum and gin; (2) vinous liquors and beverages; (3) all malted, fermented or brewed liquors of any name or description, manufactured from malt wholly or in part, such as beer, lager beer, near-beer, porter and ale and all brewed or fermented liquors and beverages in which maltose is a substantial ingredient, whether alcoholic or not or whether intoxicating or not; (4) and any drinks, liquors or beverages containing one-half of one per cent of alcohol or more, by volume at 60 degrees Fahrenheit; or any other liquids or liquors manufactured or sold, or otherwise disposed of, for beverage purposes, containing said amount of one-half of one per cent of alcohol or more; (5) any intoxicating bitters or beverages by whatever name called; (6) all liquors and beverages or drinks made in imitation of or intended as a substitute for beer, ale, wine or whiskey or other alcoholic or spirituous, vinous or malt liquors, including those liquors and beverages commonly known and called near-beer.

Sec. 2. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person, firm, association of persons or corporation, within the limits of this State, to manufacture, sell, offer for sale, keep for sale, barter, furnish at public places, keep on hand at a place of business or at or in any so-

cial, fraternal or locker club, or otherwise dispose of any of the prohibited liquors and beverages described in Section 1 of this Act, or any of them, in any quantity; but this inhibition does not include, and nothing in this Act shall affect, the social serving of such liquors and beverages in private residences in ordinary social intercourse.

Sec. 3. Be it further enacted by the authority aforesaid, That from and after the taking effect of this Act it shall not be lawful or authorized for the State, or any county or municipality therein, to license within this State, the sale, dealing in, or furnishing of any of said prohibited liquors or beverages, including imitations of or substitutes therefor.

Sec. 4. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person, firm, association of persons or corporation, directly or indirectly, to keep or maintain or in any manner aid or abet in keeping or maintaining, any of the following places, which are hereby declared to be unlawful drinking places and common nuisances: (1) Any place or resort where the liquors or beverages mentioned in Section 1 of this Act, or any of them, are kept to be drunk upon or about the premises by persons resorting there for that purpose; (2) any club, room or other place in which are received or kept for the purpose of barter or sale, or use, or gift as a beverage, or for distribution or division among or to be furnished to or used by members of any club or association of persons by any means whatever the prohibited liquors and beverages, or

any of them, referred to in Section 1 of this Act; (3) any club room or room for or of any association of persons in which said liquors or beverages or any of them are kept or stored for the purpose of being drunk or consumed by the members of such club or other association of persons, or their guests or others on the premises, or at or near the place where such liquors or beverages, or any of them, are kept or stored; (4) any place adjacent to or near the premises of any club, corporation or association, or other combination of persons, to which members or their guests or others, by the permission of members, resort for the purpose of drinking the said liquors and beverages, or any of them, that are kept at or near such places. Any of the places herein designated if kept and maintained shall be and constitute an unlawful drinking place, and the act of keeping and maintaining any such room or place shall be deemed a separate offense for each day that it continues. Any place or room kept or maintained in violation of the provisions of this section shall be deemed to be a common nuisance and may be abated by writ of injunction issued out of the superior court upon a bill filed by the State Attorney-General or the solicitor-general of the circuit, or by any citizen or citizens of such county, such bill to be filed in the county in which the nuisance exists. And all rules of evidence and the practice and procedure that pertain to proceedings in equity generally in this State may be invoked and applied in any injunction procedure hereunder. Any chartered club or incorpo-

rated association of persons under the law of Georgia that is guilty of violating any of the provisions of this section, or maintains or keeps any such place as hereinbefore described, shall forfeit its charter, and such forfeiture may be declared by proceedings in quo warranto against the club or incorporated association in a court of competent jurisdiction in the county where the unlawful act is committed.

Sec. 5. Be it further enacted by the authority aforesaid, That if any person shall let or suffer any other person, persons, firm or corporation to use any premises which he owns or controls, for the illegal sale, keeping for sale, manufacture, or other unlawful disposition of the liquors and beverages mentioned in Section 1 of this Act, or any of them, he shall be guilty of a misdemeanor.

Sec. 6. Be it further enacted by the authority aforesaid, That the unlawful manufacture, sale or keeping for sale, or disposition of any of the liquors and beverages mentioned in Section 1 of this Act contrary to the law of the State shall, at the option of the landlord, work a forfeiture of the rights of any lessee or tenant under any lease or contract for rent of the premises where such unlawful act is performed by the lessee or tenant, or by any agent, servant, clerk or employee of the lessee or tenant with the latter's knowledge or permission.

Sec. 7. Be it further enacted by the authority aforesaid, That the keeping of the liquors or beverages, or any of them, mentioned in Section 1 of this



Act, in any building not exclusively used for a dwelling, shall be prima facie evidence that they are kept for sale or with intent to dispose of same contrary to the law.

Sec. 8. Be it further enacted by the authority aforesaid, That the delivery of such liquors and beverages mentioned in Section 1 of this Act, or any of them, from any store, shop, warehouse, boat or other vessel, or vehicle of any kind, or from any shanty, or tent, or building or place used for the purpose of traffic, or any dwelling house or dependency thereof, if any part of the same is used as a public eating house, grocery store, or other place of common resort, shall be prima facie evidence of a sale or other unlawful disposition.

Sec. 9. Be it further enacted by the authority aforesaid, That the following are hereby declared to be common nuisances and may be abated as such upon complaint of the State Attorney-General, or the solicitor-general of the circuit, or any citizen or citizens of the county: (1) Any rooms or structures used for the unlawful manufacture, sale, keeping for sale, or other unlawful disposition, of the liquors and beverages mentioned in Section 1 of this Act, or any of them; (2) all houses, shops or places where the said liquors and beverages, or any of them, are sold, bartered, kept for sale, or otherwise disposed of, to be drunk on or near the premises, or where such liquors or beverages, or any of them, are kept for the purpose of sale or other unlawful disposition thereof; (3) all places of resort where per-

sons are permitted to resort for the purpose of drinking such liquors or beverages, or any of them, mentioned in Section 1, on or about the premises; (4) any public eating place where the said liquors and beverages, or any of them, mentioned in Section 1 are sold or served for beverage purposes.

Sec. 10. Be it further enacted by the authority aforesaid, That in any trial in any of the courts of the State to abate or enjoin any common nuisance as defined by this statute, or in any prosecution of any person or persons or corporations for any violation of this Act, any application for the internal revenue special tax receipt of the United States, as required by Section 3239 of the revised statutes of the United States, or any internal revenue special tax receipt as required by said section of said revised United States statutes for retail or wholesale of spirituous, malt or intoxicating liquors, in the State of Georgia, shall be made, and the same is hereby made, *prima facie* evidence of guilt, and shall be sufficient to charge the onus of burden of proof on the defendant in any such cases, providing that nothing in this Act shall apply to regularly licensed retail or wholesale druggists who under the prohibition Act of August 6, 1907, are allowed to sell alcohol, and provided that this Act is supplemental to and shall not repeal any provisions of the Act approved August 21, 1911, Number 272, relating to evidence in cases for violation of the prohibition law.

Sec. 11. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person,

firm or association, or corporation to receive for storage, distribution or on consignment for another, the said liquors and beverages mentioned in Section 1 of this Act, or any of them, or to have and maintain any warehouse or other place for the receiving, storing or disposition of said liquors for another, and any person violating this section shall be guilty of a misdemeanor.

Sec. 12. Be it further enacted by the authority aforesaid, That no person shall be excused from testifying before the grand jury or in any trial in any prosecution for violation of this Act upon any complaint for the enforcement thereof, but no disclosure or discovery made by such person as a witness shall be used against him in any penal prosecution for, or on account of, the matters disclosed.

Sec. 13. Be it further enacted by the authority aforesaid, That witnesses before the grand jury to give evidence may be required to answer generally as to any offense against the laws of Georgia for the promotion of temperance, and the suppression of intemperance, committed within their knowledge during the two years next preceding, or as to any violation within said time of any law of the State prohibiting the manufacture, sale or other disposition of any of said prohibited liquors and beverages, or the maintaining of any unlawful drinking place or liquor nuisance, and it shall not be necessary to first specially interrogate the witnesses as to any particular offenses, but a witness must not be prosecuted for any offense as to which he testifies before

the grand jury, and the solicitor or any member of the grand jury may be a witness to prove that fact.

Sec. 14. Be it further enacted by the authority aforesaid, That the judges of all courts impanelling grand juries shall give in charge to said grand jury the anti-liquor laws of this State, and those enacted for the purpose of promoting temperance and suppressing the evils of intemperance, and he shall instruct them to investigate and return indictments against all persons guilty of violating said laws, or any provision of them.

Sec. 15. Be it further enacted by the authority aforesaid, That no clerk, servant, agent or employee of any person accused of a violation of the laws to promote temperance and to suppress intemperance, or prohibiting the sale, manufacture or other disposition of prohibited liquors or beverages, shall be excused from testifying against his principal for the reason that he may thereby incriminate himself, nor shall any principal be excused from testifying against any clerk, servant, agent or employee in such cases; but no testimony so given by any of said parties shall in any prosecution be used as evidence, directly or indirectly, against him.

Sec. 16. Be it further enacted by the authority aforesaid, That the sheriffs of the various counties shall at least once every month, between the first and tenth days of the month, procure from the office of the United States internal revenue collector the name of each person, firm or corporation to whom a

United States internal revenue license, or tax stamp, has been issued, as a wholesale or retail liquor dealer, or a wholesale dealer or retail dealer in malt liquors, or a brewer or rectifier of spirits, and the name of each person, firm or corporation that has complied with the laws of the United States to become or carry on the business of a distiller in his county, and such sheriff shall immediately thereafter cause to be published for two successive weeks in some newspaper in his county in such black type as will call special attention thereto, the names of said parties, together with the location of their places of business, giving street numbers when obtainable. For such services the sheriffs shall each receive the sum of \$25.00 per annum, and the expense and cost of publishing the same, to be paid out of the general funds of his county. Any sheriff who shall fail, neglect or refuse to comply with the provisions of this section shall be guilty of a misdemeanor, and shall be punished, upon a conviction, by a fine of not less than \$50.00 nor more than \$500.00, and may be sentenced to hard labor for the county for not exceeding six months.

Sec. 17 Be it further enacted by the authority aforesaid, That when a sheriff obtains from the internal revenue collector a list of persons who have paid United States special tax as a wholesale or retail dealer or malt dealer, or as a brewer, or have qualified under the laws of the United States to be a rectifier or distiller of spirits in his county, he shall promptly furnish the solicitor-general or other pros-

ecuting officer who prosecutes criminal cases in the county on behalf of the State, with said list, or a copy, and it shall thereupon be the duty of such solicitor or other prosecuting attorney so notified to take active steps to secure the conviction of such persons and the prevention of a continued violation of the law of the State by such person or party, and he shall proceed by injunction, or criminal prosecution, one or all, according as his judgment dictates shall be most effective in securing the enforcement of the law against such party or parties, if he is willing and able to make the affidavit required by law, and if he is not he shall proceed by such injunction or criminal prosecution, one or all, according as his judgment dictates shall be most effective in securing the enforcement of the law, if any reputable citizen offers to make or will make the affidavit necessary to secure the warrant, or preliminary injunction, in which case he shall superintend the preparation of the papers and the prosecution of the cause; and any solicitor-general or other prosecuting attorney or sheriff who fails to comply with the requirements of this section shall forfeit the sum of \$500.00 to the State for such dereliction.

Sec. 18. Be it further enacted by the authority aforesaid, That any solicitor-general or other prosecuting attorney in the county whose duty it is to prosecute criminal cases on behalf of the State shall not be prohibited from commencing prosecution on his own affidavit against any party violating any provision of this statute or any other law of the

State of Georgia for the suppression of the evils of intemperance, and it shall be the duty of every such solicitor-general upon receiving information giving him probable cause to believe that there has been a violation of any statute upon the subject named, to proceed to lay the matter before the grand jury or to institute a criminal prosecution against said party by affidavit before a court or judge of competent jurisdiction if he is willing and able to make such affidavit for the institution of a criminal prosecution, or if he is not he must superintend the preparation of the papers and the institution of the prosecution, if any citizen is willing to make an affidavit for the institution of a criminal prosecution against any party for such violation, provided the solicitor is of the opinion upon the facts at hand that there is reasonable ground to believe that a conviction ought to be had. And sheriffs are charged with the duty of being on the alert for violation of any of such statutes and with co-operating with the solicitors and prosecuting attorneys in bringing violators to justice.

Sec. 19. Be it further enacted by the authority aforesaid, That in all prosecutions against any persons for manufacturing, selling, offering for sale, keeping or having or otherwise disposing of prohibited liquors and beverages, or for any one of the said acts, it shall be competent for the State to give in evidence the fact that the beverage which the evidence may tend to show the defendant had manufactured, sold, bartered, exchanged, furnished, given away, or otherwise disposed of, possessed or pos-

sesses the same color, odor and general appearance, or the same taste, color and general appearance of a prohibited liquor or beverage, such as whiskey, rum, gin, ale, porter, beer and other prohibited liquor or beverage and the fact that the beverage in question is of the same color, odor and general appearance, or same taste, color and general appearance, as beer, shall constitute prima facie evidence that the beverage is beer, or a malt liquor or a substitute; and the like rule of evidence shall apply in respect to whiskey and the other beverages named, and in the event the defendant claims the beverage in question is not within the inhibition of the statute when it possesses the same color, odor and general appearance, or the same taste, color and general appearance as a prohibited liquor or beverage, such as whiskey, beer or other beverages named, the burden of proof shall be upon him to establish to the reasonable satisfaction of the judge, court or jury trying the case, that the beverage in question is not within the inhibition of the said statute, and that it is a beverage not prohibited by the said statute to be manufactured, sold, offered for sale or otherwise disposed of. The same rule of evidence shall be applicable in all cases for the abatement of liquor nuisances by bills in equity, and in all prosecutions for violations of statutes of the State for the suppression of the evils of intemperance, when it becomes necessary to determine whether the liquor or beverage is a prohibited liquor or beverage.

Sec. 20. Be it further enacted by the authority



aforesaid, That no property rights of any kind shall exist in said prohibited liquors and beverages, or in the vessels kept or used for the purpose of violating any provision of this Act or any law for the promotion of temperance or for the suppression of the evils of intemperance; nor in any such liquors when received, possessed or stored at any forbidden place, or anywhere in a quantity forbidden by law, or when kept, stored or deposited in any place in this State for the purpose of sale or unlawful disposition, or unlawful furnishing or distribution; and in all such cases the liquors and beverages and the vessels and receptacles in which such liquors are contained, and the property herein named, kept or used for the purpose of violating the law, as aforesaid, are hereby declared to be contraband and are to be forfeited to the State when seized, and may be ordered and condemned to be destroyed after seizure by order of the court that has acquired jurisdiction over the same, or by order of the judge or court after conviction when such liquors and such property named have been seized for use as evidence.

Sec. 21. Be it further enacted by the authority aforesaid, That if for any reason any section, paragraph, provision, clause or part of this Act shall be held unconstitutional or invalid, that fact shall not affect or destroy any other section, paragraph, provision, clause or part of the Act that is not in and of itself invalid, but the remaining portions shall be in force without regard to that so invalidated.

Sec. 22. Be it further enacted by the authority

aforesaid, That no repeal or superseding or modification of any existing law or ordinance resulting from this Act or any other Acts for the promotion of temperance or the suppression of the evils of intemperance, enacted at this session, shall affect any existing right, remedy, defense or liability incurred, or any action or prosecution, civil or criminal, already commenced, or which may hereafter be commenced, for any offense already committed or committed prior to the taking effect of this Act, or any action or prosecution enforcing a right, penalty or punishment under such repealed, superseded or modified law or ordinance, and as to all such cases the laws and ordinances in force at the time of the taking effect of this Act shall continue in force.

Sec. 23. Be it further enacted by the authority aforesaid, That any violation of any provision of this Act shall be a misdemeanor and the persons so offending shall be punished as prescribed by Section 1065 of the Penal Code of Georgia of 1910.

Sec. 24. Be it further enacted by the authority aforesaid, That, except as the same may be modified hereby, the Act of August 6, 1907, commonly called the Prohibition Law, which is now contained in Sections 426 to 433 of the Penal Code of Georgia of 1910, shall not be deemed repealed by this Act.

Sec. 25. Be it further enacted by the authority aforesaid, That this Act shall take effect on January 1st, from and after the date of its passage.

Sec. 26. Be it further enacted by the authority

aforesaid, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Mr. Pickett of the 11th District, by unanimous consent, withdrew the two amendments to the substitute, which he offered at Friday's session.

Mr. Moon offered the following amendment to the substitute which was adopted, to-wit.:

Amend Section 16 of substitute by striking all of said section after the word "misdemeanor" in line 15 of printed bill.

The substitute as amended was adopted.

Upon the passage of the bill by substitute, as amended, the ayes were 31, nays 1.

The bill, having received the requisite constitutional majority, was passed by substitute as amended.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Jones:

*Mr. President:*

I am directed by His Excellency, the Governor, to deliver to the Senate a communication in writing to which he invites your attention.

The following message from the Governor was read:

## Supplementary Message of the Governor.

STATE OF GEORGIA.

EXECUTIVE DEPARTMENT,

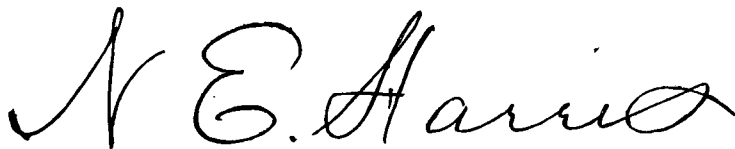
ATLANTA, November 3, 1915.

*To the General Assembly of the State of Georgia:*

I herewith hand you Exhibits showing reports of the Comptroller-General, the State Entomologist, and the Special Auditor employed to audit the accounts of the Keeper of Public Buildings and Grounds, which reports were referred to in my message.

In pursuance to the provision of the Constitution, I also hand you report showing all pardons, commutations, paroles, and reprieves granted since June 25, 1915. Twenty-eight of these cases were pending at the time I assumed the duties of office.

Respectfully submitted,

A handwritten signature in dark ink, reading "N. E. Harris". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Governor.

COMPTROLLER-GENERAL'S OFFICE,

STATE OF GEORGIA.

ATLANTA, November 1, 1915.

*Hon. N. E. Harris, Governor,*

*Executive Department, State Capitol.*

DEAR SIR:

In reply to your inquiry I desire to say  
that the assessed value of the gen-

eral property of the State of Georgia, appearing on the county digests for the year 1914, was-----\$803,390,196

The assessed value of property of public service corporations, returned to the Comptroller-General, was----- 150,152,686

Total for 1914 -----\$953,542,882

For 1915 the assessed value of general property on the county digests amounts to -----\$799,734,975

Public service corporations returned to Comptroller-General ----- 151,326,805

Total for 1915 -----\$951,061,780

The tax rate levied for 1914 was 4.50 mills.

The tax rate levied for 1915 is 4.80 mills.

The gross revenue for 1914 received from special taxes and all other sources was \$1,844,039.

The estimated gross revenue for 1915 from special taxes and all other sources is \$1,836,708.

The cost of collection, errors and insolvents, to be deducted from these amounts, averages 6%.

I might add that we have received during the current year from back taxes collected by Judge Hart, as special attorney for the State, in certain cases against the lessees of the Georgia Railroad & Banking Company, \$18,163.28. This amount is not included in the figures given above for 1915.

Yours very truly,

WM. A. WRIGHT,

Comptroller-General.

STATE OF GEORGIA,  
OFFICE AND LABORATORIES,  
STATE ENTOMOLOGIST.

ATLANTA, GA., NOV 1, 1915.

*Hon. Nat. E. Harris, Governor of Georgia,  
State Capitol, City.*

DEAR SIR: One of the most important problems confronting the people of Georgia at this time is the Mexican Cotton Boll Weevil. This serious pest has invaded our State and now occurs in more than thirty counties. Nature has made it possible for almost every kind of crop to be grown in Georgia, but cotton is our principal crop and the boll weevil is the greatest pest known to the cotton industry.

The various agricultural agencies have done splendid work in preparing our people for the coming of the boll weevil, and the State is better prepared perhaps than any other State that has yet become infested, but the boll weevil will be a serious menace to cotton production. The State Board of Entomology for a number of years has conducted experiments with different varieties of cotton for the purpose of developing types that would resist such diseases as cotton wilt or black root, which, in some sections of Georgia, is almost as serious a pest as the boll weevil. This work has enabled the cotton growers to produce good yields of cotton on lands where 50 to 75 per cent. of all ordinary varieties would die from wilt. The United States Department of Agriculture and the scientific experts in the various States infested by the weevil report that under boll weevil conditions it is necessary to plant early maturing varieties. Our experiments show that all of the ordinary early maturing varieties of cotton are affected with cotton wilt. The varieties grown

successfully in Louisiana, Mississippi and Texas cannot be used in the southern part of Georgia, because of their susceptibility to cotton wilt. Recent tests demonstrate that some of the varieties developed by the State Board of Entomology are wilt resistant, prolific and early maturing. These varieties have been developed on Georgia soil, are adapted to Georgia conditions, and can produce a good crop of cotton in spite of cotton wilt and in spite of cotton boll weevil.

We regard the question of seed selection for the different sections of the State the most important phase of the boll weevil fight. Our experiments, demonstrations and propagation of varieties resistant to disease, etc., for different sections of the State should be conducted on a large scale, so that a large number could profit by its work. In view of the fact that cotton will continue to be our principal crop, and in view of the vast number affected by the coming of the boll weevil, we respectfully ask that you bring this matter to the attention of the General Assembly at its special session. A liberal appropriation should be made for the purpose of enlarging the scope of the cotton breeding work and the other work this department will have to conduct to minimize the damage to the cotton industry of the State. Any amount appropriated at this time will produce far greater results than if appropriated one or two years hence.

Respectfully,

E. LEE WORSHAM,

State Entomologist.

Following is report of Special Auditor employed to audit accounts of Keeper of Public Buildings and Grounds:

STATE OF GEORGIA.

KEEPER OF PUBLIC BUILDINGS AND GROUNDS,

AUGUST 31, 1915.

OCTOBER 7, 1915.

File No. 1301.

*Hon. N. E. Harris, Governor,*

*Atlanta, Georgia.*

DEAR GOVERNOR: AS requested, we have audited the accounts of Mr. P. B. Latimer, Keeper of Public Buildings and Grounds, covering the period from January 20th, 1912, to August 31st, 1915, and beg to submit our report, consisting of the following statements:

EXHIBIT "A"—Statement of cash due to the State of Georgia.

EXHIBIT "B"—List of accounts unpaid August 31, 1915.

COMMENT.

Items 1 to 12, inclusive, in Exhibit "A", were submitted to Mr. E. E. Holcombe and accepted by him as proper items due by him to the State of Georgia.

Item No. 13, for amounts collected on Porters' Pay Rolls were positively denied by Mr. Holcombe. However, the affidavits from Charlie Sams and Cornelius Moore tend to prove otherwise, and we requested Mr. Holcombe to produce the men in order that we could establish the service performed. Mr. Holcombe has not produced the men at this time.

Item 14, amounts overdrawn on Guards' Pay Rolls, \$88.00. Mr. Latimer stated that he drew the money and paid off the Guards' Pay Roll, but was unable to account for this difference.



Item 15 covers lumber said to have been delivered by the Patillo Lumber Company, at 151 Crew St. Mr. Holcombe denies receiving this lumber, but the Patillo Lumber Company states that they have the dray ticket duly signed by Mr. Holcombe. We therefore include the item as part of the amount due the State of Georgia.

Items 16 and 17 are for bolts of madras, gingham, pepperel sheeting, etc., which Mr. Latimer and others employed by the State claim are not used by the State. As Mr. Holcombe admits using some goods purchased of the J. M. High Company and of the John Silvey Company, and as the State does not use this class of material, and as the sales tickets and delivery slips seem to us to indicate that the goods were received by Mr. Holcombe, we have also included them in the amount due to the State of Georgia.

We have not included in our statement, Exhibit "A", two cash items, for the reason that we could not now obtain information necessary to establish the exact amounts. These two items are : (1) J. M. Hill appears on the Porters' Pay Roll as a laborer until August 9, 1913. We were told that this man left the State's employ about six months prior to August 9, 1913, which claim is substantiated by the signatures appearing on the pay rolls. We understand that this party still lives in Atlanta, and we would suggest that an affidavit be obtained from him in order to clear up the matter. The amount involved is approximately \$200.00

(2) We were told that the amounts paid to L. F. Howard were for services not rendered the State of Georgia. We would suggest that an affidavit be obtained from him in order to clear up the matter. The amount involved is \$68.65.

On Exhibit "B" we show \$219.01 as the propo-

tion of amounts unpaid that was not used by the State of Georgia. Mr. Holcombe admits liability for this amount.

The total amount of accounts unpaid on August 31st, 1915, is \$14,210.83, as shown in Exhibit "B"

All of the accounts listed in Exhibit "B" agree with statements rendered by the different firms shown therein, except the account with the Stocks Coal Company. Our representative called on the Stocks Coal Company and drew off of their books a statement of their account with the State of Georgia. The balance claimed by the Stocks Coal Company as due from the State of Georgia is \$529.03 greater than amount shown in Exhibit "B" (\$3,980.58). Our representative was unable to obtain from the books of the Stocks Coal Company any information to substantiate the charge of \$529.03, and the company offered in explanation the statement that their books were incorrect, but that the balance of \$4,509.61 was correct, and had been approved by the Keeper of Public Buildings and Grounds. We think it would be well, before this account is finally paid, that the State be satisfied that all coal and wood billed was actually received.

We would suggest that you issue instructions that none of the outstanding accounts shown in Exhibit "B" be paid until approved by yourself. We think you should insist upon each of these creditors submitting itemized statements of their accounts, showing where and to whom the goods were delivered before affixing your approval. This precaution we recommend because no one in the Department of Public Buildings and Grounds is sufficiently familiar with the accounts of the department to pass upon these bills. We were surprised to learn that Mr. Latimer was unable to furnish any detailed infor-

mation. He states that he simply trusted Mr. Holcombe implicitly.

Subject to the foregoing comment the amounts you should insist upon being paid into the Treasury are as follows:

Items 1 to 17, Exhibit "A"-----	\$3,934.12
Proportion of Accounts Unpaid, Ex. "B"--	219.01
Amount Collected on Porters' Pay Roll for Time not Made by J. M. Hill (Approximately) -----	200.00
Amount Paid to L. F. Howard (if Estab- lished) -----	68.65
Total -----	\$4,421.78

Mr. Latimer stated to our representative that the entire shortage would be paid, but he wished to go over the figures with you before making final payment.

We attach, marked Exhibits "C", "D", "E", and "F", affidavits made by F. C. Blair, Cornelius Moore, Charlie Sams, and C. H. Sams. The originals of these affidavits are handed you under separate cover.

We trust these statements will be found full enough for your needs.

Respectfully submitted,  
ALONZO RICHARDSON & Co.,  
Certified Public Accountants.

### EXHIBIT "A."

#### STATE OF GEORGIA.—DEPARTMENT OF PUBLIC BUILDINGS AND GROUNDS.

##### Statement of Cash Due to the State of Georgia.

##### Item.

1. Cash returned by the Water Works Department of the City of Atlanta and not entered on books:  
Nov. 7, 1912. . \$20.00

Dec. 9, 1912.	..	..	8.50
Jan. 4, 1913.		...	20.00
Feb. 3, 1913.			20.00
Apr. 1, 1913.	..	..	20.00
Nov. 5, 1913.	..	..	10.00
Dec. 8, 1913			10.97
Jan. 7, 1914.			10.00
May 6, 1914.			10.00
Aug. 5, 1914...	..		10.00
Jan. 7, 1915.		..	10.60
Feb. 3, 1915.	..		10.00
March 3, 1915.			10.00
Apr. 5, 1915.	..	...	10.00
May 5, 1915.			10.00
Jun. 7, 1915.			10.00
Jul. 5, 1915.			10.00
Aug. 5, 1915.			10.00
			\$ 220.07

- |   |         |           |
|---|---------|-----------|
| 2. Cash returned by Chamberlin-Johnson-DuBose Co. on<br>Check No. 2185, Jan. 4, 1915, and not entered on<br>books | .. .. . | \$ 13.00  |
| 3. Cash returned by Ga. Ry & Pr. Co. on Sept. 17, 1913,<br>account overpayment, and not entered on books.         |         | 10.00     |
| 4. Forged check No. 2427 May 8, 1915, favor J. M. High<br>Co.   | ...     | 16.53     |
| 5. Forged check No. 2428 May 8, 1915, favor John Silvey<br>& Co.  | ..      | 15.70     |
| 6. Check No. 2574 Aug. 5, 1915, favor Floyd Bros., for<br>screen work at residence of E. E. Holcombe.             |         | 23.65     |
| 7. Checks charged by bank and removed from files:   |         |           |
| March, 1915   | .. .. . | \$ 57.85  |
| April, 1915   |         | 68.00     |
| May, 1915   | .. .. . | 166.65    |
| June, 1915  |         | 95.50     |
| July, 1915  |         | 164.32    |
| Aug., 1915  |         | 83.00     |
|   |         | \$ 635.32 |

As we had no checks or check stubs, we wish to state the following facts gathered during our investigation of these items:

1. Commencing with March, 1915, a check for \$21.00 was paid by the bank in cash every Saturday, with a few exceptions. Mr. Latimer states he has no knowledge of these checks and did not sign them.

Mildly expressed, they surely represent monies due to the State of Georgia.

2. In going over these figures with Mr. E. E. Holcombe, he stated this amount was due by him.

5. Forged checks favor R. A. Broyles and Company:

Apr. 5, 1915, No. 2370.	.\$	67.68	
May 5, 1915, No. 2412.		76.98	\$ 144.66

---

9. Missing checks favor R. A. Broyles and Company:

June 7, 1915, No. 2478.	.\$	80.75	
July 6, 1915, No. 2535.		88.50	
Aug. 5, 1915, No. 2590.		90.00	259.25

---

10. Payments to R. A. Broyles & Co. (Not including the \$144.66 and \$259.25 shown above) . \$1,096.53

At least 60 per cent. of this amount covers items not used by the State of Georgia, according to affidavit of F. C. Blair, former bookkeeper for R. A. Broyles and Company 657.92

11. Amounts paid to Jennings-Gresham Company for account of E. E. Holcombe:

Jan. 1, 1913.	.\$	9.01	
July 6, 1914		15.33	
Feb. 3, 1915		21.54	45.88

---

12. Checks to Chamberlin-Johnson-DuBose Co., to settle for purchases not used by the State of Georgia:

Apr. 2, 1915, Forged check.	.\$	46.01	
May 3, 1915		64.94	
June 5, 1915		101.65	
July 6, 1915		65.50	
Aug. 4, 1915		53.55	331.65

---

13. Amounts collected on Porters' Pay Roll for time not made according to affidavits submitted herewith:

Vance Little, 99 weeks at \$7.00 from

Oct. 11, 1913.	.\$	693.00	
Horace Root, 42 weeks at \$7.00 from			
Feb. 10, 1912		294.00	
Andy Haney, 44 weeks at \$7.00 from			
Nov. 30, 1912		308.00	
Ed Cunningham, 5 weeks at \$7.00 from			
Sept. 6, 1913		35.00	
Geo. Taylor, 4 weeks at \$7.00 from			
July 18, 1914		28.00	\$1,358.00
<hr/>			
14. Amounts overdrawn on Guards' Pay Rolls and not disbursed, August to December, 1914			58.00
15. Lumber from Patillo Lumber Co., delivered at 151 Crew St. (Residence of E. E. Hol- combe) ...			15.36
16. Payments to J. M. High Company, for goods not used by the State of Georgia:			
Sept. 9, 1913	...	.\$	12.14
Nov. 5, 1914			15.48
			27.62
<hr/>			
17. Payments to John Silvey & Co. for goods not used by the State of Georgia:			
Jan. 9, 1913	..	.\$	5.72
Apr. 10, 1913			10.68
Feb. 5, 1914			7.63
Oct. 8, 1914			3.15
Nov. 10, 1914			9.17
Dec. 8, 1914			10.72
Feb. 3, 1915			14.09
March 8, 1915	..		10.35
			71.51
<hr/>			
Total	.. ..	...	\$3,934.12

## EXHIBIT "B."

NAME.	Proportion Not Used by	
	Amount.	State Ga.
Alexander and Co., J. M..	.\$ 60.07	\$
Atlanta Mineral Water Co.	67.50	
Broyles, R. A., and Co.	138.91	96.23

Barnes Sheet Metal Works	19.00	
Bryan Electric Company	916.34	
Belcher Heating Company	15.00	
Byrd Printing Company	5.75	
Baylis Office Equipment Company	122.25	
Beck & Gregg Company	26.00	
Campbell, R. O., Coal Company ..	6.50	
Carolina Portland Cement Company	2.25	
Chamberlin-Johnson-DuBose Company	4.40	
Carter Electric Company ..	.75	
Crumley-Sharp Hardware Company	.20	
Cooper and Day	10.30	
Davison-Paxon-Stokes Company	14.90	6.00
Dozier & Gay Company	846.43	
Dinkins-Davidson Hardware Company	11.51	
Fielder & Allen Company	2,050.18	
Farrell Heating Company ..	333.15	
Hastings, H. G., & Company	33.00	
High, J. M., Company	108.45	12.00
Jennings-Gresham Company	254.56	
King Hardware Company	1,678.28	
Lilly, M. C., & Company	60.00	
Otis Elevator Company ..	30.81	
Patillo Lumber Company	97.28	44.91
Pittsburg Plate Glass Company	47.83	
Randall Bros.	673.12	
Rich, M., Bros. Company	271.16	
Smith, M. D. and H. L.	87.54	
Silvey, John L., & Company	35.63	31.22
Standard Oil Company	2.45	
Stocks Coal Company	3,980.58	28.65
Slaton, Mrs. John M.	100.00	
Wackendorf Bros. ..	279.15	
World Manufacturing Company	132.00	
Wurm, Chas. T. ..	36.00	
West Disinfecting Company	1,618.75	
Williams, S. A., Lumber Company.	32.85	
<hr/>		
Total .. ...	.\$14,210.83	\$ 219.01

## EXHIBIT "C"

COPY.

*Georgia, Fulton County:*

Personally appeared before the undersigned attesting officer, F. C. Blair, personally known to me, who being duly sworn, says on oath,

1st. That he has been employed for the past several years by R. A. Broyles & Co. as bookkeeper.

2d. That during April, 1912, one E. E. Holcombe began purchasing merchandise, etc., for the State of Georgia, and continued to make such purchases through August, 1915, and as the R. A. Broyles Co. did no credit business, the tickets showing the purchases made by E. E. Holcombe were carried in the cash drawer as a cash item until paid.

3d. That about three months following the first purchase made by E. E. Holcombe, he (Holcombe) began buying groceries, etc., which were delivered at 151 Crew St., the home of Holcombe.

4th. That the tickets covering purchases made by the said Holcombe, for merchandise delivered to the State Capitol, and at 151 Crew St. were kept together, and held against the State of Georgia, and that the said Holcombe would tender in payment for the purchases made each month, one check signed by P. B. Latimer, Keeper of Public Buildings and Grounds, which check was credited on the tickets showing merchandise bought for the State Capitol and for groceries delivered to the home of Holcombe, 151 Crew Street.

5th. That, inasmuch as the R. A. Broyles Co. did no credit business, he is unable to state definitely the amount charged for groceries and delivered at 151 Crew Street, but makes affidavit that at least 60 per cent. of the purchases made by the said E.



E. Holcombe during this period, was delivered to 151 Crew Street, the remainder of the purchases being delivered to the State Capitol.

(Signed) F. C. BLAIR.

Sworn to and subscribed to  
before me this eleventh day  
of September, 1915.

(Signed) B. D. GANNON,  
N. P. Fulton Co., Ga.

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EXHIBIT "D"

COPY.

*Georgia, Fulton County:*

Personally appeared before the undersigned attesting officer, Cornelius Moore, who being duly sworn, deposes and says, that he entered the service of the State during the fall of 1913 as laborer, and has worked continuously since that time in the same capacity; that he has personally known every laborer and cleaner employed by the State at the Capitol during this period, and that he knows of his own knowledge that no laborer, porter or cleaner by the name of Vance Little has ever been employed by the State during this period, and that he does not know of any person by this name, and that there has never been more than three laborers or cleaners employed at *the State Capitol at any time* since he entered the State's service.

(Signed) CORNELIUS MOORE,

Sworn to and subscribed to be-  
fore me this sixth day of  
October, 1915.

(Signed) W. H. HARRISON,  
N. P. Fulton Co., Ga.

## EXHIBIT "E"

COPY.

*Georgia, Fulton County:*

Personally appeared before the undersigned attesting officer, Charlie Sams, personally known to me, who being duly sworn, says on oath that since spring, 1912, he has been employed in the State Capitol, first as a laborer in cleaning the halls, etc., and later on as porter for the Treasury Department. That he is personally acquainted with the laborers employed by the Keeper of Public Buildings and Grounds, since he first came to the Capitol. That he never knew of any man by the name of Vance Little to be in the employ of the State, either as a scrub man, cleaner or porter. That he never heard of any such man being on the force, and from his personal knowledge and acquaintance with all of the employees, he does not believe that any such man was ever employed here within the period mentioned.

(Signed) CHARLIE SAMS.

Sworn to and subscribed to before me this eleventh day of September, 1915.

(Signed) W. H. HARRISON,  
N. P. Fulton Co., Ga.

## EXHIBIT "F"

COPY.

*Georgia, Fulton County:*

Personally appeared before the undersigned attesting officer, Charlie Sams, personally known to me, who being duly sworn, says that the facts stated in his affidavit of September 11, 1915, in reference

to employees in the State Capitol as to Vance Little apply to and are true in the same measure of Horace Root, Andy Haney, and George Taylor; none of said parties having worked at the Capitol since his employment; deponent knows that Ed Cunningham left Atlanta in August, 1913, and did not return to the service after August, 1913; deponent further says that from the Spring of 1912 to the present time there were only three men employed on the floors (in cleaning, scouring, etc.), except during the period when the painting of the building was done, when there were four men so employed; deponent further says that from July 1st, 1912, to October, 1913, he was in charge of these floor men, with authority to employ and discharge hands, and therefore had personal knowledge of the facts hereinbefore set out.

(Signed) C. H. SAMS.

Sworn to and subscribed before  
me this October 6th, 1915.

(Signed) W. H. HARRISON,  
N. P. Fulton Co., Ga.

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**REPORT OF PARDONS, COMMUTATIONS, PAROLES AND  
RESPIES GRANTED SINCE JUNE 25, 1915.**

**PARDONS.**

R. H. McCrary: Superior Court, Clarke County, Spring term, 1913; felony; three years; pardoned July 7, 1915. Applicant had served sufficient time to entitle him to release if credited with time spent in jail pending trial and with good behavior. Trial judge and large number of citizens, as well as many members of the General Assembly, recommended pardon. Also recommended by Prison Commission.

J. J. Mangham: Superior Court, Spalding Coun-

ty, November term, 1911; embezzlement, two cases; four years and twelve months, respectively; pardoned August 16, 1915, as appeared to be more of a technical violation of the law than anything else. Had served all but short while on four-year sentence. Large number of citizens, many members of the General Assembly and the Prison Commission recommended pardon.

WALTER J. BRACKIN: Decatur County, March, 1912; burglary; fine of \$400. Party burglarized store and secured box cigars; was fined \$400, which he paid nearly fourteen years ago. Order merely restored citizenship. Pardoned September 14, 1915.

CLAUD COUCH: Forsyth County; August, 1915; larceny from the house; fine of \$75. Applicant had paid fine and asked that rights of citizenship be restored. Trial judge, solicitor-general and many citizens asked that he be pardoned and citizenship restored. Pardoned September 22, 1915.

W. J. KNIGHT: Superior Court, March term, 1913; Berrien County; involuntary manslaughter; 3 years; pardoned October 4th. Applicant had served all but one month of his time, allowing credit for good behavior; trial judge, solicitor-general, prosecutor and jury, as well as Prison Commission, recommended pardon. Order restored rights of citizenship.

#### COMMUTATIONS.

All commutations of sentences approved were recommended by Prison Commission.

ED ELDER, alias WILL JORDAN: Superior Court of Fulton County, January term, 1915; murder; sentenced to hang: commuted to life imprisonment July

8, 1915, on recommendation of the judge, solicitor and grand jurors. Very doubtful case.

RALPH THOMASON: Superior Court Fulton County, July term, 1914; forgery; two years; sentence commuted to present service on July 9, 1915, on recommendation of the trial jury and solicitor-general, and account of the condition of his mother, an invalid, who needed his support. Trial jury recommended misdemeanor punishment.

CHARLEY CRAWLEY: City Court of Monroe, January term, 1915; misdemeanor; sentence commuted to fine of \$50.00 on July 15, 1915, on recommendation of the commission, judge and solicitor-general. Party afflicted with tuberculosis.

A. S. MAPPIN: City Court of Atlanta, Spring term, 1915; vagrancy; twelve months; sentence commuted to present service on July 30, 1915, on recommendation of the commission. Applicant was a drug habitue and was sent to the chaingang in order to be cured, which object had been accomplished.

ED WATKINS: Superior Court of Clarke County, November term, 1912; rape; fifteen years; sentence commuted to present service on August 2, 1915, on recommendation of the Commission, and extenuating circumstances connected with the crime.

JACK MILLER: Superior Court of Brooks County, May term, 1915; murder; sentenced to hang; sentence commuted to life imprisonment on recommendation of the Commission and a number of the jurors. Represented by counsel appointed just before trial who didn't know the case.

CARL FRAZIER: Superior Court of Fulton County, October term, 1914; rape; sentenced to hang. Sentence commuted to life imprisonment on August 10,

1915, on recommendation of the Commission, the judge and solicitor and the mother of the prosecutrix.

S. T. JONES: Superior Court of Upson County, November term, 1911; rape; ten years; sentence commuted to present service on August 12, 1915, on recommendation of the Commission. The alleged victim made affidavit that she was forced to swear falsely against defendant at the time of his conviction.

STEVE COBB: Superior Court of Stephens County, September term, 1912; kidnapping; five years; sentence commuted to present service on August 25, 1915, on recommendation of the Commission, the trial judge and solicitor-general. Applicant was weak-minded. Also mother of girl alleged to have been kidnapped recommended.

CHAS. STEVENS: Superior Court of Glynn County, Fall term, 1913; burglary; ten years; sentence commuted to present service on August 31, 1915, on recommendation of the Commission and the prosecutor, who states that he knows this was a case of mistaken identity.

JERRY DOZIER: Superior Court, Richmond County, March term, 1915; larceny from the house; twelve months; sentence commuted to present service on August 31, 1915, on recommendation of the Commission and trial judge. Applicant was a consumptive.

HENRY NIXON and ELLIE NIXON: Superior Court Hart County, August term, 1914; manslaughter; one year; sentences commuted to present service on September 3, 1915, on recommendation of the Commission and trial judge. Applicants served about 6 months during time case was in higher court. Were granted new trial and given one year.

PINK HILLIARD: Superior Court of Clarke County, October term, 1912; robbery; five years; sentence commuted to present service on September 16, 1915, on recommendation of the Commission, the trial jury, solicitor and a number of citizens. New evidence seemed to establish innocence.

C. L. MENEFFEE: Superior Court of Gordon County, Spring term, 1907; murder, life imprisonment; sentence commuted to present service on recommendation of the Commission and circumstances connected with the crime. New witnesses established complete alibi. Trial judge also recommended.

PINK MILLER and JOE MATHIS: Superior Court of Whitfield County, January term, 1913; rape; 5 years each; sentences commuted to present service on September 25, 1915, on recommendation of the Commission, judge, solicitor-general and the prosecutrix.

ERICH HARTMAN: Superior Court of Fulton County, February term, 1914; forgery; three years; sentence commuted to present service upon payment of costs on September 30, 1915, on recommendation of the Commission, the prosecutor and solicitor-general.

JIM ROBINSON: Superior Court of Muscogee County, August term, 1915; attempt to murder; three years; sentence commuted to payment of fine of \$100.00 on October 8, 1915, on recommendation of the Commission, because of serious condition of health.

BURWELL JACKSON: Superior Court of Warren County, Spring term, 1915; misdemeanor; twelve months; sentence commuted to present service on recommendation of the Commission, because of the serious condition of health.

SAM LOVELESS: Superior Court of Hall County, Spring term, 1915; misdemeanor; eight months; sentence commuted to payment of fine of \$25.00 on October 12, 1915, on recommendation of the Commission, judge and solicitor.

GUS HOLT: Superior Court of Fulton County, Spring term, 1915; larceny after trust; 6 months or fine \$50.00, commuted to fine of \$25.00 on October 13, 1915, on recommendation of the Commission, because of the condition of applicant's parents who needed his support. Had served half his sentence and order merely deducted half his fine.

CHARLIE JOHNSON: City Court of Newnan, June term, 1915; stealing ride on train; 10 months; commuted to present service November 2nd. Applicant had served four months and was wanted in Alabama for long term sentence. Recommended by trial judge and solicitor.

#### PAROLES.

All paroles approved were unanimously recommended by the Prison Commission, as required by law in such cases.

ROBERT RAMSEY: Superior Court, Cobb County, March term, 1911; larceny; 20 years; paroled July 6th. Party jointly convicted with applicant had already been released. Because of recommendation of Prison Commission and solicitor-general and because of good conduct applicant was released under parole.

WILL WILLIS: Superior Court, Wilkes County, February term, 1913; manslaughter; four years; paroled July 7th because of good service and extenuating circumstances. Application recommended by



trial judge, solicitor and all county officers, as well as by Prison Commission.

BERT CAIN: Superior Court, Crisp County, Spring term, 1909; manslaughter; 10 years; paroled July 31st. Applicant made excellent record during time he served and his conduct during fire at State Farm saved State considerable property and prevented a number of prisoners from escaping. Strong recommendations from judge and other officials, as well as from Prison Commission were presented.

M. H. WALL: Superior Court, Rabun County, Spring term, 1913; shooting at another; 4 years; paroled August 2nd; applicant's health was very bad; had good record; Prison Commission, trial jury, solicitor and about 600 citizens asked for parole.

LESTER AULTMAN: Superior Court, Pierce County, April term, 1912; manslaughter; 4 years; paroled July 14th. Case was very weak one; jury stated they wanted to recommend that misdemeanor punishment be imposed at time of trial; the trial jury, trial judge, county officers, brother of deceased and large number of citizens joined in request for parole.

SIM JOHNSON: Superior Court, Fulton County, June term, 1909; burglary; 15 years; paroled July 31st. Developed since trial sword claimed to have been stolen was in fact loaned to defendant. Solicitor stated that he and the judge were in doubt as to guilt of defendant. Applicant had excellent record.

HENRY BEIBER: Superior Court, Chatham County, November term, 1912; manslaughter; 10 years; paroled August 12th. Case a weak one. Ten members of trial jury asked for clemency. Also county officers and members of the House and Senate joined in the request. Applicant had good record.

HENRY SOMER: Superior Court, Screven County,

May term, 1902; murder; life; paroled August 12th. Applicant had good record, and was practically disabled; nine members of the trial jury, the trial judge and solicitor-general who tried the case, besides a large number of citizens and a member of the Senate, requested clemency.

BOB LILY: Superior Court, Clarke County, October term, 1912; robbery; 5 years. Paroled August 20th. Facts developed after trial which went to show very weak case. Trial jury, trial judge, solicitor-general who tried the case and large number of citizens asked for parole. Applicant had excellent record.

WILEY NASWORTHY: Superior Court, Ben Hill County, April term, 1914; assault with intent to murder; 2 years. Paroled August 25, 1915. Applicant had made good prisoner and had about served his time out, allowing him credit for good behavior. Seems crime was committed through mistake caused from drink and not because of any ill intent. Jury that tried case and county officers asked for parole.

W E. BOLTON: Superior Court, Jackson County, February term, 1907; manslaughter; 20 years; paroled August 25th. Facts developed since trial seemed to show serious doubt as to guilt. Trial judge, trial solicitor, trial jury, 17 members of grand jury that indicted applicant and many others asked for clemency. Applicant had good record.

W R. GREEN: Superior Court, DeKalb County, September term, 1913; simple larceny; 3 years; paroled August 25th. Jury at time of trial recommended that misdemeanor punishment be imposed. Trial judge did not respect recommendation, but stated he would ask for release of applicant after one year if he made good record. Applicant had

good record, and had served double the time for misdemeanor.

LUM HIGH: Superior Court, Brooks County, November term, 1913; attempt to murder; two and one-half years; paroled September 30, 1915. Case not an aggravated one. Applicant in feeble health and no good to State, suffering with heart disease. Jury and grand jury both recommended release. Had served all but about four months of his time.

HOLLIS HARRISON: Superior Court, Fulton County, November term, 1913; robbery; 5 years; paroled October 15th. At time of trial jury recommended misdemeanor punishment. Defendant was minor when convicted and only secured about seven dollars worth of property. He had served more than twice the sentence recommended by jury. Prosecutor and solicitor-general both requested clemency.

PAUL BARKLEY: Superior Court, Butts County, February term, 1911; manslaughter; 6 years; paroled October 13th. Party jointly convicted with applicant had already been released. Very doubtful case; only a little over five months remained for applicant to serve, allowing him credit for good behavior. Solicitor, sheriff and sole commissioner of county recommended clemency.

JOE BEADLES: Superior Court, Fayette County, March term, 1908; manslaughter; 15 years; paroled October 14th. Applicant plead guilty and no evidence in case. Trial judge, solicitor-general, county officers and large number of citizens requested clemency, stating case closely bordered on justifiable homicide. Applicant made excellent record.

WM. L. KNIGHT: Superior Court, Washington County, Fall term, 1911; manslaughter; 10 years; paroled October 15th. Applicant in feeble health,

but had good record. Very close case. Trail jury, trial judge, prosecuting attorney, county officers, and large number of citizens requested parole.

LUTHER GLAZNER: Superior Court, Fannin County, May term, 1905; murder; life; paroled October 29th. Applicant committed the crime under great provocation. He had good prison record and was in bad health. Trial jury, trial judge, solicitor-general, members of the grand jury, and many others recommended clemency. Applicant of weak mind and agreed to consent verdict. Solicitor-general stated that he would never have been convicted had he insisted upon trial.

#### RESPITES.

HENRY FLOYD: Superior Court, Jenkins County; murder; to hang July 6th. Reprieved July 5th to August 6th, to give attorneys time to present case to Prison Commission.

CARL FRAZIER: Superior Court, Fulton County; rape; to hang July 16th. Reprieved to August 13th to give opportunity to present new evidence to Prison Commission. Prison Commission joined in request for respite.

JACK MILLER: Superior Court, Brooks County; murder; to hang July 23d. Reprieved to August 27th to give time for new evidence to be presented to Prison Commission. Respite requested by foreman of grand jury.

FRANK NORTHFOOT: Superior Court, Early County; murder; to hang August 13th. Reprieved to September 10th to allow Prison Commission time for hearing case. Again reprieved September 3d to September 24th to allow additional evidence to be presented to Prison Commission.

By unanimous consent, the following Senate bill was read the second time and recommitted to the Committee on Game and Fish, to-wit.:

By Messrs. Akin and Adams—

A bill to provide for the protection and propagation of fish; shrimp, oysters, etc.

By unanimous consent, the following Senate bill was recommitted to the Committee on Agriculture, to-wit.:

By Messrs. Walker and Mangham—

A bill to create a Warehouse Commission.

The following Senate bill was taken up for a third reading and put upon its passage, to-wit.:

By Messrs. Eakes and Walker—

A bill to repeal all laws and parts of laws which prescribe and authorize taxes upon the manufacture, sale and storage of substitutes for intoxicants.

The report of the committee, as amended, was agreed to.

The bill was read the third time, and upon the passage the ayes were 23, nays 1.

The bill, having received the requisite constitutional majority, was passed as amended, and the amendment was as follows:

Committee moves to amend by striking out the words, "effective upon passage of this Act," and

inserting in lieu thereof the words, "effective January 1st, 1916."

The following Senate bill was taken up for a third reading to be put upon its passage:

By Messrs. Eakes and Walker—

A bill to limit the amount of shipments of liquor in Georgia, and for other purposes.

The following amendment to the bill reported by the Temperance Committee was adopted, to-wit.:

Amend by striking out the words, "effective upon the passage of this Act," and inserting in lieu thereof the words, "effective January 1st, 1916."

The following substitute was offered to the foregoing bill, to-wit.:

By Mr. Stovall of the 30th District, and Mr. Harbin of the 43rd District—

### A BILL

To be entitled an Act to further mitigate the evils of intemperance and to make more effective the laws touching the sale and keeping on hand of certain prohibited liquors and beverages, by prohibiting common carriers and their agents from shipping into this State or delivering herein, any spirituous, vinous, malted, fermented or intoxicating liquors, where the same are intended to be received, possessed, sold or in any manner used, in violation of this or any other law of this State,

and in any case except where such shipment and delivery is made in compliance with rules herein stated for the purpose of making clear the right of the consignee and the evidence thereof, and preserving such evidence and making the same accessible; by prohibiting any person from ordering shipments of such liquors or causing the same to be made or accepting or receiving the same, except under the rules herein stated for the purpose of making clear and preserving the evidence of the right of such person; by prescribing and limiting the quantities of such liquors and the containers thereof which any individual may have, receive or possess; by entirely prohibiting certain classes of persons the receipt or possession of said liquors; by prescribing various other regulations ancillary to the principal purpose and appropriate thereto, and by prescribing remedial procedure, rules of evidence and penalties, appropriate in the premises; by prohibiting any bank, individual or corporation from presenting or collecting any draft, check or bill of exchange drawn for the sale of such liquors, and for other purposes.

Section 1. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by the authority of the same, That it shall be unlawful for any railroad company, express company, or other common carrier, or any officer, agent or employee thereof, or any other person or corporation, to ship or to transport into or to deliver in this State, in any manner or by any means whatsoever, any spirituous, vinous,

malted, fermented or other intoxicating liquors of any kind from any other State, Territory or District of the United States, or place non-contiguous thereto, subject to the jurisdiction of the United States, or from any foreign country, to any person, firm or corporation within the territory of this State, when the said spirituous, vinous, malted, fermented or other intoxicating liquors, or any of them, are intended by the person interested therein to be received, possessed, sold or in any manner used either in the original package or otherwise, in violation of any law of this State now in force, or of this Act, or that may be hereafter enacted in this State, or take effect therein.

Sec. 2. Be it further enacted by the authority aforesaid, That it shall be unlawful for any railroad company, express company, or other common carrier, or any officer, agent or employee of any of them, or any other person or corporation, to deliver any liquor of the kind mentioned in Section 1 of this Act, when brought into this State from any of the points or places mentioned in Section 1 of this Act (1) to any person whomsoever, where said liquor has been consigned to a fictitious person, firm or corporation, or to a firm, person or corporation under a fictitious name; (2) to any person, firm or corporation, on any Sunday or on any day before seven o'clock A. M., and after five o'clock P. M.; or (3) to any person who is intoxicated; (4) or to any minor; (5) or to any person other than the person to whom such liquors are consigned, and it shall be



unlawful for any minor, or person, while intoxicated to receive or acquire possession of any such liquors or beverages.

Sec. 3. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person to order, to cause to be ordered, any of the liquors mentioned in Section 1 of this Act, to be shipped to him in this State from without the State in a fictitious name, or in the name of another; and it shall be unlawful for any person to allow or permit the use of his name by another in obtaining, ordering, or receiving, or accepting delivery of any of said liquors in this State, or to aid, abet, or assist another by the use of his name or any fictitious name, in obtaining possession or delivery of any of said liquors or beverages from a carrier or other person or corporation.

Sec. 4. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person to whom such liquor mentioned in Section 1 of this Act has been consigned from any of the points or places mentioned in Section 1 of this Act, whether consigned to the party by the right name or by a fictitious name, or otherwise, to give to any person an order for such liquor to any railroad company, express company or other common carrier, or any officer, agent or employee or any of them or to any other person, when the purpose of such order is to enable such person to obtain and receive such liquors for himself or for any other person, firm or corporation.

Sec. 5. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person, firm or corporation to accept from any railroad company, express company or common carrier, or any officer, agent or employee of any of them, or from any other person, any delivery of the liquors mentioned in Section 1 of this Act, or any of them, when transported into this State or delivered in this State in any manner, or by any means whatsoever, from the points or places mentioned in Section 1 of this Act, when the said person, firm or corporation so accepting such delivery intends to receive, possess, or sell, or in any manner use, either in original package or otherwise, the said liquors or any of them in violation of any law of this State now in force, or of this Act, or of any law that may hereafter be enacted in this State or to take effect therein.

Sec. 6. Be it further enacted by the authority aforesaid, That since it is the general policy of the State to require, under non-prohibited conditions and in non-prohibited quantities, the liquors mentioned in Section 1 of this Act to be delivered to and possessed by individuals only, and for personal and domestic consumption, therefore, it is hereby made unlawful to deliver any of the said liquors to or for account of any firm, partnership, corporation or association or persons, or for any person for or on account of the same, to receive or possess any of said liquors and the beverages.

This section does not apply to alcohol when received or possessed according to law.

Sec. 7 Be it further enacted by the authority aforesaid, That it shall be unlawful for any railroad company, express company, or any other common carrier, or any officer, agent or employee of any of them, or any other carrier or person, to deliver any liquors of the kind mentioned in Section 1 of this Act, when brought into the State from any of the points or places mentioned in Section 1, or for any person to receive, accept delivery of, or to receive, possess or acquire possession of any of said liquors when so brought into the State, unless and until the consignee shall, before delivery, make an affidavit setting forth the name of the carrier, or persons making such delivery, the place of delivery, the amount and kind of liquor to be received, the total amount and kind of such liquors received or possessed by him during the thirty days last past, and that the affiant is over the age of twenty-one years and is of temperate habits, with the details mentioned in the form below; said affidavit shall be substantially the following form:

STATE OF GEORGIA, County of \_\_\_\_\_  
I, \_\_\_\_\_, a \_\_\_\_\_ person  
(stating in this space whether white or colored),  
male or female (let proper description remain—  
erase other word), being duly sworn, depose and  
saith that my name is \_\_\_\_\_;  
that I am consignee of that certain parcel or package

containing liquors which is now in the possession of the following named carrier, to-wit.:

----- at----- That said package contains the following amount of liquor: ----- (stating here amount and particular kind, as whiskey, gin, wine, beer, etc.). That I have not received any shipment of liquors from any carrier or otherwise at any time within the last thirty days, and do not now possess any, except----- That I am over the age of twenty-one years and am of temperate habits, and that my residence address is----- (here state street and number, or if no street and number, then otherwise as clearly as may be)

-----  
Consignee.

Subscribed and sworn to before me this----- day of----- 191-----.

-----  
Agent or carrier.

Received from the above-named carrier, the amount and kind of liquors, as specified above.

Date-----

----- (Signing full Christian name, not initials merely.)

Consignee.

Such affidavit shall be signed and sworn to before said carrier, or any duly authorized agent thereof, and for that purpose the carrier, or agent of such

carrier, within the State, is hereby authorized to administer oaths to all persons proposing to receive such liquors. Before the delivery of the package, the consignee shall sign the affidavit, and then, or at the time of delivery, sign the receipt for the amount of liquor delivered, or to be delivered, by the carrier or his agent. Anyone who wilfully or corruptly swears falsely to any matters or things contained in said affidavit shall be deemed guilty of false swearing, and on conviction shall be punished by imprisonment in the penitentiary for not less than two or more than five years. It shall be the duty of the carrier or other person delivering said liquor to preserve said affidavit for a period of two years, and same shall be open to inspection of any sheriff, deputy sheriff, constable, chief of police, or other police officer of a city, or any prosecuting attorney or solicitor-general whose duty it is to prosecute crime in the county in which delivery is made, or of any other duly authorized person seeking information for the prosecuting of persons charged with or suspected of crime. Any failure on the part of any carrier or any party to comply with the provisions herein contained relative to the delivery of liquor, the requiring of the affidavit prior thereto by the consignee, the receipt therefor, and the preservation of the receipts, shall be deemed guilty of a misdemeanor. If the affidavit discloses that a delivery of the package would cause the consignee to receive or possess within the thirty-day period, liquors, of a quantity that is forbidden by law, the de-

livery shall not be made, but the consignee may renew application for delivery when the facts will justify delivery under the law, and when another affidavit is made. If the delivering carrier, or party delivering, is not satisfied of the identity of the person applying for the liquor, or has reason to believe that the person applying therefor is not the consignee or that he is seeking to practice a fraud on the carrier, or on the law, identification of the person applying may be required before delivery, to be furnished by a reputable person.

In no case shall delivery of such liquors be made to any person other than the consignee.

Sec. 8. Be it further enacted by the authority aforesaid, That the consignee of the liquors mentioned in the preceding section, and in Section 1 of this Act, when to be received or delivered in non-prohibited quantities, may, after making and signing affidavit and giving the receipt in the preceding section provided for, transport or carry such liquors to a place where it is not unlawful to receive, have or possess the same.

Sec. 9. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person to seal, give or transfer within the State to any other person any bill of lading, shipping receipt, order, or other instrument, calling for the delivery of liquors, or any of them, named in Section 1 of this Act; and it shall be unlawful for any common carrier, or officer, agent or employee thereof, or any other carrier or person to deliver any of such liquors to

any person, or for such other persons to receive any of them, upon bill of lading, shipping receipt, order or other instrument transferred by the consignee.

Sec. 10. Be it further enacted by the authority aforesaid, That it shall be the duty of every railroad company, express company or other common carrier, and of every person, firm or corporation, that shall carry or transport any of the liquors mentioned in Section 1 of this Act, and who shall deliver such liquors, or any of them, to any person, firm or corporation in this State, to file with the ordinary of the county in which said liquor is delivered a statement, either printed or plainly written, or typewritten on stout paper, correctly stating the dates on which the liquor was delivered, the name and post office address of the consignee and consignor and the place of delivery, and to whom delivered, and the kind and amount of such liquor, such statement to be filed within three days after the day of delivery of such liquor.

1st. If such statement is in writing, it shall be in a fair and legible hand, and the names of the consignee and consignor shall be truly ascertained and furnished in such a way as to avoid mistakes in names.

2d. If any person, firm or corporation, within the terms of this section shall neglect or refuse to file with the ordinary of the county, as herein required, such statement, or statements, then it shall be the duty of the ordinary to make written demand upon

such person, firm or corporation to comply with the requirements of this section, such demands to be served by the sheriff and return made by him to the ordinary, upon a copy of the original demand, and upon further refusal, and non-compliance, it shall be the duty of the ordinary to promptly inform the Attorney-General of the State of such failure or refusal, and it shall then be the duty of the Attorney-General either himself to file, or to direct and secure some solicitor-general, whose duty it is to prosecute crimes in the county, to file a suit in the name of the State on the relation of the officer filing same in an appropriate court to compel the compliance with this section, or file a bill in equity for a mandatory injunction, restraining the further non-compliance with this section on the part of delinquent persons, firms or corporations.

Sec. 11. Be it further enacted by the authority aforesaid, That it shall be the duty of the ordinary to immediately file the statement required by the preceding section as a part of the file of his office, and,

(1) To permit any sheriff, deputy sheriff, constable, chief of police, or other police officer of the town or city, or solicitor-general whose duty it is to prosecute crime in the county in which delivery is made, and any other peace officer of the county or officer charged with the duty of prosecuting violations of the law, to inspect the said statements as they may desire at any time the office of the said ordinary may be open, and especially to permit in-



spection thereof by any officer or other duly authorized person seeking information for the prosecution of persons charged with or suspected of crime, and especially of the crime of selling, giving away, bartering, keeping for sale, or otherwise disposing of liquors, or any of them, mentioned in Section 1 of this Act, or other liquors and beverages prohibited by the laws of the State to be sold, given away, kept for sale, or otherwise disposed of in such county or in the State; and

(2) To permit all other persons so desiring to inspect the said statements to do so at any time the office of the ordinary may be open. It shall be the further duty of the ordinary to give a certified copy of such statement to any of the said officers without charge, or to other persons requesting or demanding the same upon payment of lawful fee therefor, and the said original statements or certified copies thereof shall be competent evidence upon the trial of any cause whatsoever in any of the courts of this State in which same may be relevant or material to the issue or issues involved.

Sec. 12. Be it further enacted by the authority aforesaid, That it shall be the duty of every railroad company, express company, or other common carrier, and of every person, firm or corporation, that shall carry or transport any of the liquors mentioned in Section 1 of this Act into the State from any of the points or places mentioned in Section 1 for the purpose of delivery, and who shall deliver such liquors or any of them, to any person, firm or corpora-

tion, to correctly keep in a fair and legible hand, or typewritten or otherwise, so that the same may be easily read, a record of such liquors and of the delivery thereof, which shall set forth the date on which such liquors are received and delivered, and the name and the post office address of the consignor and consignee, the place of delivery, and the person to whom delivered and the kind and amount of such liquor delivered.

Sec. 13. Be it further enacted by the authority aforesaid, That the record hereinabove required to be kept by common carrier or person, firm or corporation, making delivery of said liquors, or any of them in this State, from any point or place mentioned in Section 1 of this Act shall be open for inspection—

(1) Of the officers mentioned in Section 11;

(2) Of the duly authorized persons seeking information for the prosecution of persons charged with or suspected of crime, and when application is made by any of the said officers or persons for permission to examine and take copies of such record, they shall be allowed to do so, during the office or business hours of the persons or corporations keeping said record, and in such reasonable manner as not to interfere with the business of the corporation or persons keeping such record. The said record may be produced in court by any lawful process issued by any court of the State or existing under the authority of the State, to be used as evidence, and said record shall be competent evidence upon the trial

of any causes whatsoever in any of the said courts in which the record may be material or relevant to the issues involved.

Sec. 14. Be it further enacted by the authority aforesaid, That it shall be unlawful for any bank incorporated under the laws of this State, or a national bank, or a private banker, or any individual, firm or association to present, collect or any way handle any draft, bill of exchange, or order to pay money, to which draft, bill of exchange, or order to pay money is attached a bill of lading or order or receipt for any spirituous, vinous, malted, fermented or other intoxicating liquors of any kind, or any liquor, liquids or beverages prohibited by the laws of this State to be manufactured or sold, or otherwise disposed of in this State, for which draft is enclosed with, connected with, or in any way related to, directly or indirectly, any bill of lading or receipt for said liquors in the section above mentioned, or any of them, and any person, firm, corporation or banker violating the provisions of this Act shall be guilty of a misdemeanor.

Sec. 15. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person to break open, or divide upon the premises of the delivering carrier, or person, any original package, or packages in which liquors mentioned in Section 1 of this Act, are shipped from any of the points or places mentioned in Section 1 of this Act into this State, or for any express agent, freight agent, or other employee of any express company, railroad

company, or any other transportation company, or for any person, or corporation engaged in the business of transportation or transporting of any of said liquors as aforesaid, in this State, to allow any original package or packages in which liquors are shipped to be broken open or divided in any manner upon the premises of such company or carrier, or person making delivery under the supervision of such agent, servant or employee, or otherwise.

Sec. 16. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person to receive, accept delivery of, possess or have in possession at one time, or within any period of thirty consecutive days, whether in one or more places, or whether in original packages or otherwise, (1) more than one gallon of vinous liquor, or (2) more than six gallons (48 pints) of malted liquors or fermented liquors, such as beer, lager beer, ale, porter or other similar fermented liquors, whether intoxicating or not, or whether containing alcohol or not, either in bottles or other receptacles, or (3) more than two quarts of spirituous liquors or other intoxicating liquors, or other prohibited liquors beyond those named in sub-divisions one and two, above.

But this section shall not apply to the receipt or possession of alcohol by persons who are permitted by law to possess, receive, sell, or use the same, when received, possessed or sold in accordance with the rules and regulations prescribed by law.

Sec. 17 Be it further enacted by the authority aforesaid, That any of the following facts shall constitute prima facie evidence that the liquors mentioned in the sub-divisions of this section respectively are kept for sale contrary to law, to-wit.: (1) The possession at one time or within the period of thirty days of more than one gallon of vinous liquors, whether in one or more places; (2) or the possession at one time, or within a period of thirty days of more than six gallons (48 pints) of malted liquors, or fermented liquors, such as beer, lager beer, ale, porter, or other similar fermented liquors, whether intoxicating or not, or whether containing alcohol or not, either in bottles or other receptacles, whether in one or more places, or (3) the possession at one time or within a period of thirty days of more than two quarts of spirituous liquors, or other intoxicating liquors, or other prohibited liquors named in sub-divisions one and two above, whether in one or more places; (4) the delivery to a person, firm, corporation, or any officer, agent or servant of any of them, at one time, or within a period of thirty days, whether in one or more places, of (a) more than one gallon of vinous liquor, or (b) more than six gallons (48 pints) of malted liquors, or fermented liquors, such as beer, lager beer, ale, porter or other similar fermented liquors, whether intoxicating or not, or whether containing alcohol or not, either in bottles or other receptacles; or (c) more than two quarts of spirituous or other intoxicating liquors, or other prohibited liquors beyond those named in sub-divisions (a) and (b) above.

(1) But this section does not apply to the receipt or possession of alcohol by persons who are permitted by law to possess, receive, sell or use the same, when received, possessed, or sold in accordance with the rules and regulations prescribed by law.

Sec. 18. Be it further enacted by the authority aforesaid, That when more than one quart of the liquors mentioned in Section 1 of this Act, or prohibited liquors, is received, or had in possession, it must be in bottles or receptacles of a capacity of not less than one quart, and when a quart or less is so received, or possessed, it must be contained in one receptacle or bottle. Failure to observe these provisions, or either of them, shall constitute prima facie evidence that the said liquors are kept or had in possession for sale, or other unlawful disposition; and it shall be unlawful to receive, or possess the liquors in quantities mentioned in receptacles or bottles that do not conform to the above requirements; but this section shall not apply to malted or fermented liquors, such as beer, lager beer, or porter or ale.

Sec. 19. Be it further enacted by the authority aforesaid, That it shall be unlawful for any person, firm or corporation, or association, whether common carrier or not, to accept them from another for shipment, transportation or delivery, or to ship, transport or deliver for another, the liquors mentioned in Section 1 of this Act, or any liquors or beverages prohibited by the laws of this State to be sold or otherwise disposed of in this State, or any malted liquors, whether intoxicating or not; or any liquors

and beverages containing one-half ( $\frac{1}{2}$ ) of one per cent. (%) of alcohol or more, by volume at sixty degrees Fahrenheit, when received at one point, place or locality in this State to be shipped or transported to, or delivered to another person, firm or corporation, at any point, place or locality in this State; or to convey or transport over or along any public street, or highway, any of said liquors for another.

(1) But this section shall not apply to those delivering and transporting to druggists and physicians, and others, such alcohol as they are permitted by the laws of the State to sell, dispose of, or use, in accordance with the statutory regulations upon that subject; nor to the transportation or delivery of lawfully acquired liquors and beverages when legally received by individuals from outside of the State to be carried to and delivered at a place when such individual may legally possess the same, and when in unprohibited quantities for personal or domestic use.

Sec. 20. Be it further enacted by the authority aforesaid, That this Act shall be construed in harmony with all the statutes of the United States relating to the transportation of the liquors mentioned in Section 1 of this Act into this State from points or places outside the State mentioned in Section 1 of this Act, and other Federal statutes bearing upon interstate shipments of such liquors.

Sec. 21. Be it further enacted by the authority aforesaid, That in the prosecution of violations of this Act or any law for the suppression of the evils of intemperance, any common carrier doing business

in the State of Georgia, or any person engaged in transportation in this State, or making deliveries in this State, of the liquors mentioned in Section 1 of this Act, or other prohibited liquors and beverages, is required to permit an examination of all his books, records, papers, bills of lading and accounts pertaining to the shipment of such liquors by any officer in this State, whose duty it is to prosecute crime or ferret out criminals, when such information is sought for the prosecution of persons charged with, or suspected of, crime.

Sec. 22. Be it further enacted by the authority aforesaid, That in all prosecutions under this Act, for unlawful shipments of liquors mentioned in Section 1 of this Act into this State, the offense shall be held to have been committed in any county of the State through which or into which said liquors have been carried or transported, or in which they have been unloaded, or to which they have been conveyed for delivery.

Sec. 23. Be it further enacted by the authority aforesaid, That no persons shall be excused from testifying before the grand jury or on the trial in any prosecutions for any violations of this Act, but no disclosure or discovery made by such person is to be used against him, in any penal or criminal prosecution for or on account of the matter disclosed.

Sec. 24. Be it further enacted by the authority aforesaid, That nothing in this Act shall make it unlawful for any person, firm or corporation, to



have shipped, and have delivered alcohol for any purpose permitted of the laws of this State; and nothing herein shall be construed to prevent wholesale druggists from furnishing or selling alcohol according to law to licensed retail druggists, or from furnishing or selling alcohol to public or charity hospitals, or to medical or pharmaceutical colleges, nor shall this Act prohibit the sale by licensed druggists of wood or denatured alcohol for art, scientific, for mechanical purposes, or grain alcohol to bacteriologists who are actually engaged in that class of work for scientific purposes only.

Sec. 25. Be it further enacted by the authority aforesaid, That any delivery for shipment, or the shipment, transportation or delivery to the consignee of liquor within the prohibition of this Act from one point of this State to another point in this State shall be deemed to be an offense in the county from or to which such shipments are made, or in which delivery of any shipment is made, and the superior court or other court having jurisdiction of misdemeanors in any such county shall have jurisdiction for the trial and prosecution of any such violation of this Act, and the grand jury of such county shall be vested with inquisitorial power with respect to offenses under this Act, and the judges of the superior courts shall call attention to this Act in charging grand juries.

Sec. 26. Be it further enacted by the authority aforesaid, That in any indictments, presentation of complaint or prosecution for any violation of this

Act, it shall not be necessary for the State or prosecution to show the transaction was not within any exceptions herein contained, or that the liquors were or were not ordered shipped, transported or delivered, for any of the purposes permitted in this Act, but any exceptions may be relied on as a defense, and the burden of establishing same shall be upon the person claiming the benefit thereof.

Sec. 27 Be it further enacted by the authority aforesaid, That if for any reason any section, provision, clause or any part of this Act shall be held to be unconstitutional, and invalid, then that fact shall not affect or destroy the validity or constitutionality of any other section, provision, clause or part of this Act, which is not in and of itself unconstitutional or invalid, and the remaining portions of this Act shall be enforced without regard to the section, provision, clause or part so held to be invalid.

Sec. 28. Be it further enacted by the authority aforesaid, That when violation of this Act, or any law for the promotion of temperance, is threatened or shall have occurred, the continuation or repetition of the unlawful act, or any of like kind, by the offending person, firm or corporation, may be prevented by a writ of injunction issued out of the superior court upon a bill filed by the State Attorney-General or the solicitor-general of the circuit, or by any citizen or citizens of such county, such bill to be filed in the county in which the nuisance exists; and all rules of evidence, practice and procedure that

pertain to courts of equity generally in the State may be invoked and applied, as well as the rules, and practice prescribed for any other injunction procedure. All persons, whether agents, servants or officers of corporations or agents or servants of individuals, aiding or abetting in the commission of the offense, or threatened to commit a violation of this Act, may be made parties defendant to such bill.

Sec. 29. Be it further enacted by the authority aforesaid, That any person, firm or corporation, violating any provision of this Act shall be guilty of a misdemeanor, and punished as for a misdemeanor, as prescribed in Section 1065 of the Penal Code of 1910.

Sec. 30. Be it further enacted by the authority aforesaid, That this Act shall take effect and be in force from and after January 1, 1916.

Sec. 31. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Upon motion of Mr. Stovall the time for the adjournment of the Senate was extended until the bill, substitute and all amendments to the same were disposed of.

Mr. Walker of the 20th District offered the following amendment to the substitute:

Amend substitute by striking the words "one gallon" in the 4th line of the 17th section of printed bill, and inserting in lieu thereof the words "one-half

( $\frac{1}{2}$ ) pint;" and by striking the words "six gallons (48 pints)" in the 6th line of Section 17 and inserting in lieu thereof the words "one-half gallon (4 pints);" and by striking the words "two quarts" in the 10th line of Section 17, and inserting in lieu thereof the words "one-fourth ( $\frac{1}{4}$ ) of a pint."

Upon the adoption of the amendment the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Akin, L. R.	Gillis, N. L.	Paulk, Geo. A.
Buchanan, W. A.	Goolsby, B. E.	Pickett, Roscoe
Burnside, J. B.	Haralson, Pat	Smith, E. M.
Dobbs, E. P.	Harrison, W. T.	Walker, J. D.
Eakes, W. J.	Holden, Jno. F.	Way, J. B.
Fletcher, H. M.	McFarland, J. R.	

Those voting in the negative were Messrs.—

Adams, J. O.	Mangham, J. J.	Ransom, W. M.
Bailey, L. S.	Minter, C. C.	Stovall, A. S. J.
Bonner, T. B.	Moon, E. T.	Tison, Mark
Boykin, H. A.	McCrory, C. R.	Tracy, C. C.
Callahan, J. W.	McLaughlin, B. F.	Trammell, J. R.
Fagan, T. V.	Peacock, Z. V.	Turner, T. R.
Harbin, T. W.	Pickett, D. C.	Ward, C. A.

Those not voting were Messrs.:

Carlton, J. A.	Paulk, M. J.	Wren, W. J.
Lawrence, A. A.	Thomas, J. R.	

Ayes 17, nays 21.

The amendment was lost.

Mr. Persons of the 22nd District offered the following amendment to the printed substitute, which was adopted:

Moves to strike the following words: "whether intoxicating or not" in line 6 of Section 16 and line 7 of Section 17 and the words: "or whether containing alcohol or not" in line 7 of Section 16 and line 8 of Section 17 and by inserting the words: "or intoxicating or spirituous" after the word "fermented" and before the word "liquors" in line 6 of paragraph 16 and in line 7 of Section 17

The substitute was adopted as amended.

The bill was read the third time.

Upon the passage of the bill by substitute as amended, the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

Adams, J. O.	Gillis, N. L.	Pickett, D. C.
Akin, L. R.	Goolsby, B. E.	Ransom, W. M.
Bailey, L. S.	Haralson, Pat	Smith, E. M.
Bonner, T. B.	Harbin, T. W.	Stovall, A. S. J.
Boykin, H. A.	Harrison, W. T.	Tison, Mark
Buchanan, W. A.	Holden, Jno. F.	Tracy, C. C.
Burnside, J. B.	Mangham, J. J.	Trammell, J. R.
Callahan, J. W.	Minter, C. C.	Turner, T. B.
Dobbs, E. P.	Moon, E. T.	Ward, C. A.
Eakes, W. J.	McCrory, C. R.	Walker, J. D.
Fagan, T. V.	McFarland, J. R.	Way, J. B.
Fletcher, H. M.	Paulk, Geo. A.	

Those voting in the negative were Messrs.:

Pickett, Roscoe

Those not voting were Messrs.:

Carlton, J. A.	Paulk, M. J.	Thomas, J. R.
Lawrence, A. A.	Peacock, Z. V.	Wren, W. J.
McLaughlin, B. F.		

Ayes 35, nays 1.

The bill, having received the requisite constitutional majority, was passed by substitute, as amended.

At 1:30 o'clock P. M. the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.,

Tuesday, November 9, 1915.

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon motion the call of the roll was dispensed with.

Mr. Way of the 2nd District gave notice that at the proper time he would move to reconsider the action of the Senate in passing Senate Bill No. 4 by substitute.

Upon motion the reading of yesterday's journal was dispensed with.

Mr. Ward of the 5th District, Acting Chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

Your Committee on Engrossing has examined and found properly engrossed and ready for transmission to the House, the following Senate Bills, to-wit.:

A bill to make clearer and more certain the laws of Georgia heretofore enacted for prohibiting the manufacture and sale of alcoholic, spirituous, vinous and intoxicating liquors and for other purposes.

A bill to repeal all laws which prescribe taxes upon the manufacture, sale and storage of substitutes for intoxicants.

Respectfully submitted,  
C. A. WARD, Acting Chairman.

Mr. Way moved to reconsider the action of the Senate in the passage by substitute as amended, of the following bill of the Senate, to-wit.:

By Messrs. Eakes and Walker—

A bill to limit the amount of shipments of liquors in Georgia, and for other purposes.

Upon this motion the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.:

Akin, L. R.	Goolsby, B. E.	Peacock, Z. V.
Buchanan, W. A.	Haralson, Pat	Pickett, Roscoe
Burnside, J. B.	Harrison, W. T.	Thomas, J. R.
Dobbs, E. P.	McFarland, J. R.	Tison, Mark
Eakes, W. J.	McLaughlin, B. F.	Walker, J. D.
Gillis, N. L.	Paulk, Geo. A.	Way, J. B.

Those voting in the negative were Messrs.:

Adams, J. O.	Harbin, T. W.	Ransom, W. M.
Bailey, L. S.	Holden, Jno. F.	Stovall, A. S. J.
Bonner, T. B.	Mangham, J. J.	Tracy, C. C.
Boykin, H. A.	Minter, C. C.	Turner, T. R.
Callahan, J. W.	Moore, E. T.	Ward, C. A.
Fagan, T. V.	McCrary, C. R.	Wren, W. J.
Fletcher, H. M.	Pickett, D. C.	

Those not voting were Messrs.:

Carlton, J. A.	Paulk, M. J.	Trammell, J. R.
Lawrence, A. A.	Smith, E. M.	



Ayes 18, nays 20.

The motion to reconsider was declared lost.

Mr. Way rose to a question of personal privilege.

Mr. Way of the 2nd District, Chairman of the Committee on Game and Fish, submitted the following report:

*Mr. President:*

Your Committee on Game and Fish has had under consideration the following bill of the Senate and instructed me as their chairman to report same back to the Senate with the recommendation that same do pass, to-wit.:

A bill to provide for the protection of fish, shrimp, oysters, etc.

Respectfully submitted,

J. B. WAY, Chairman.

The following Senate bills were read the first time:

By Messrs. Boykin and Eakes—

A bill to create a Warehouse Department for the State of Georgia.

Referred to Committee on Agriculture.

By Messrs. Boykin and Eakes—

A bill to regulate the grading of cotton in the State of Georgia, and for other purposes.

Referred to Committee on Agriculture.

The following Senate bill was taken up for a third reading, to-wit.:

By Messrs. Mangham and Ransom—

A bill to promote temperance by preventing the advertisement of, or solicitation of orders for alcoholic, spirituous, vinous or malted liquors and beverages.

The bill was read the third time.

The report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams, J. O.	Goolsby, B. E.	Paulk, Geo. A.
Akin, L. R.	Haralson, Pat	Pickett, D. C.
Bailey, L. S.	Harbin, T. W.	Ransom, W. M.
Bonner, T. B.	Harrison, W. T.	Stovall, A. S. J.
Boykin, H. A.	Holden, Jno. F.	Tison, Mark
Buchanan, W. A.	Mangham, J. J.	Tracy, C. C.
Callahan, J. W.	Minter, C. C.	Turner, T. R.
Carlton, J. A.	Moon, E. T.	Ward, C. A.
Dobbs, E. P.	McCrary, C. R.	Walker, J. D.
Eakes, W. J.	McFarland, J. R.	Way, J. B.
Fagan, T. V.	McLaughlin, B. F.	Wren, W. J.
Gillis, N. L.		

Those voting in the negative were Messrs.—

Fletcher, H. M.	Pickett, Roscoe	Trammell, J. R.
Peacock, Z. V.	Thomas, J. R.	

Those not voting were Messrs.:

Burnside, J. B.	Paulk, M. J.	Smith, E. M.
Lawrence, A. A.		

Ayes 34, nays 5.

The bill, having received the requisite constitutional majority, was passed.

Upon motion of Mr. McCrory one hundred copies of Senate Bill No. 10 were ordered printed for the use of the Senate.

The following joint resolution was read and adopted:

By Mr. Walker of the 20th District—

A resolution requesting Honorable Bradford Knapp, of the National Department of Agriculture, to address the General Assembly at his earliest convenience, upon combating the ravages of the Mexican boll weevil.

Upon motion the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.,  
Wednesday, November 10, 1915.

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon motion the call of the roll was dispensed with.

Upon motion the reading of the Journal of yesterday's session was dispensed with.

Mr. Ward of the 5th District, Acting Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

Your Committee on Engrossing have examined and found properly engrossed and ready for transmission to the House the following bills of the Senate, to-wit.:

A bill to further mitigate the evils of intemperance and to make more effective the laws touching the sale and keeping on hand of certain prohibited liquors and beverages, and for other purposes.

A bill to promote temperance by preventing the advertisement of, or soliciting of orders of alcoholic and malted liquors, and for other purposes.

Respectfully submitted,  
C. A. WARD, Acting Chairman.

The following Senate bill was taken up for a third reading, to-wit.:

By Messrs. Akin and Adams—

A bill to provide for the protection and propagation of fish, shrimp, oysters, etc.

Upon motion further consideration upon the above bill was postponed until tomorrow's session.

Upon motion of Senator Boykin two hundred (200) copies of Senate Bills Nos. 1 and 12 were ordered printed for the use of the Senate.

An invitation was read and accepted from Prof. K. G. Matheson, President of the Georgia School of Technology, inviting the Senate to attend the annual foot ball game to be played on Grant Field, Tech. Campus, Saturday afternoon, November 13, 1915, at 2:30 o'clock.

Upon motion the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.,  
Thursday, November 11, 1915.

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

Upon motion the call of the roll was dispensed with.

Upon motion the reading of the Journal of yesterday's session was dispensed with.

The Senate took up for a third reading the following Senate bill, to-wit.:

By Messrs. Akin and Adams—

A bill to provide for the protection and propagation of fish, shrimp, prawn, oysters, turtles, etc.

The following amendment was read and adopted:

By Mr. Lawrence—

Amend by adding between the words "person" and "to" in the second line of the 6th section, the words "except owners and their authorized agents and employees."

The report of the committee was agreed to, as amended. The bill was read the third time.

Upon the passage of the bill, the ayes were 23 and nays 0.

The bill, having received the requisite constitutional majority, was passed as amended.

The following resolution was read and adopted:

By Mr. Pickett of the 41st District—

Resolved, That when this Senate adjourns today, it stand adjourned until Monday morning next at 11 o'clock.

The following resolution was read and adopted, to-wit.:

By Mr. Walker of the 20th District—

Resolved by the Senate, the House concurring, That the Governor of Georgia is hereby authorized and requested to have a thorough audit made by a public certified accountant of the various departments and institutions supported by State appropriations, covering a period from January 1, 1914, to January 1, 1916, and report the result to the General Assembly next June at the opening of the regular session.

An invitation was read and accepted from A. P. Coles, Vice-President, inviting the Senate to visit the Atlanta Warehouse Company property this afternoon at 3 o'clock.

Upon motion the Senate adjourned until Monday morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GA.,

Monday, November 15, 1915.

The Senate met pursuant to adjournment at 11 o'clock A. M., and was called to order by the President pro tem., Hon. E. P. Dobbs.

Prayer was offered by the Rev. J. B. Allen of Atlanta, Ga.

Upon motion the call of the roll was dispensed with.

By unanimous consent the reading of the Journal of Thursday's session was dispensed with.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed as amended by the requisite constitutional majority, the following bill of the Senate, to-wit.:

A bill to make clearer and more certain the laws of Georgia relative to alcoholic, spirituous, vinous and intoxicating liquors.

Also, the House has adopted the following resolution of the House, to-wit.:

A resolution tendering to the State an oil portrait of Hon. Thos. G. Lawson, of Putnam County.

Mr. Harbin of the 43rd District, Acting Chairman



of the Committee on Engrossing, submitted the following report:

*Mr. President:*

Your Committee on Engrossing has examined and found properly engrossed and ready for transmission to the House the following Senate resolution and bill, to-wit.:

A resolution authorizing the Governor to employ a certified public accountant to audit the books of all departments and institutions supported by State appropriations.

A bill to provide for the protection of fish, shrimp and oysters in this State.

Respectfully submitted,  
T. W. HARBIN, Acting Chairman.

The following message was received from His Excellency, the Governor, through his secretary, Mr. Jones:

*Mr. President:*

I am directed by His Excellency, the Governor, to deliver to the Senate, a communication in writing to which he invites your attention.

The following House resolution was taken up and concurred in, to-wit.:

By Mr. Davidson of Putnam—

A resolution accepting the tender by his family of a portrait of Hon. Thos. G. Lawson, late of Putnam County, Georgia.

The following resolution was read and laid over under the rules, to-wit.:

By Mr. Walker—

A resolution asking Congress to assist in the development of Southern water powers.

The following resolution was read and adopted:

By Mr. Boykin of the 17th District—

WHEREAS, Certain newspapers have, by publication of certain articles and by innuendo in same, insinuated that the prohibitionists of Georgia are planning to take Georgia from the Woodrow Wilson column in the next primary, or at the next election, and

WHEREAS, Such insinuations are untrue, and

WHEREAS, A majority of this body are prohibitionists,

THEREFORE BE IT RESOLVED, That we hereby declare such insinuation, or statements without foundation, so far as this body is concerned, and we hereby pledge our support to the Honorable Woodrow Wilson, the Greatest President of the United States since the days of Thomas Jefferson, and believe that we voice the sentiments of our constituents when we say that a large majority of the democrats of Georgia are his supporters.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed as amended by the requisite constitutional majority, the following bill of the Senate, to-wit.:

A bill to repeal all laws and parts of laws which prescribe taxes upon substitutes for intoxicants.

The following Senate bills were taken up for the purpose of concurring in the amendments of the House:

By Messrs. Eakes and Walker—

A bill to make clearer and more certain the laws of Georgia heretofore enacted for prohibiting the manufacture and sale of alcoholic and spirituous liquors.

The House amendment was as follows:

Amend by striking the words and figures, "January 1st" in second line 25th section, and substituting the following words and figures: "May 1st, 1916."

The House amendment was concurred in.

By Messrs. Eakes and Walker—

A bill to repeal all laws and parts of laws which prescribe or authorize taxes upon the manufacture, sale and storage of substitutes for intoxicants.

The House amendments were as follows:

Move to amend:

1. By striking the word "January" wherever the

same occurs and substituting therefor the word  
“May ”

2. By adding at the end of Section 3 the following words:

“And all taxes levied and licenses issued under the present laws shall be prorated and be for one-third of a year.”

The House amendments were concurred in.

Upon motion the Senate adjourned until tomorrow morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GA.,

Tuesday, November 16, 1915.

The Senate met pursuant to adjournment at 11 o'clock A. M., and was called to order by President Pro Tem. Dobbs.

Prayer was offered by the Chaplain.

Upon motion the call of the roll was dispensed with.

By unanimous consent the reading of the Journal of yesterday's session was dispensed with.

The following message from His Excellency, the Governor, was read:

STATE OF GEORGIA.  
EXECUTIVE DEPARTMENT.  
ATLANTA.

Nov. 13, 1915.

*To the General Assembly:*

A resolution was adopted at the summer session appointing a special committee to visit the Georgia School for the Deaf, located at Cave Spring, Georgia, during vacation, to make a report concerning certain matters set out in that resolution.

There were submitted to the joint committee ap-

pointed under this resolution certain matters, which when investigated it was found were not within the scope of the enquiry that had been authorized by the General Assembly.

The Governor, therefore, under Section 1420 of the Code of 1910, was asked to appoint this legislative committee a Board of Visitors, with the powers and rights set forth in the law applicable thereto. Certain matters had been called to the attention of the joint committee touching the internal management of the institution, and it was deemed of great importance that this matter should be looked into, so that a report might be made both to the Governor and the General Assembly on the subject. The following gentlemen who were on this special committee were therefore appointed a Board of Visitors:

Hon. J. R. McFarland, Hon. A. A. Lawrence, Hon. J. F. Holden, Hon. E. H. Griffin, Hon. M. J. Yeomans, Hon. G. M. Jones, Hon. L. J. Steele, Hon. T. R. Ayer, Hon. L. C. Brown, Hon. L. Roberts, Hon. J. P. Knight and Hon. T. D. Walker, Sr.

These gentlemen met at the school and looked fully into the matters submitted to them touching the management of the superintendent and a report was made thereon, which, in obedience to the law, I now lay before your body. You will see that the board found that the charges were not sustained touching the mismanagement alleged, and, as I understand the report, fully exonerate the superintendent.

I have also thought it well to call to your attention another matter which may require some action at your hands, viz.: Section 147 of the Code of Georgia, is as follows:

“The Governor shall keep insured, at one-half their value, all of the public buildings of the State and library, except the State arsenals at Milledgeville and Savannah, the Penitentiary at Milledgeville, and the buildings of the Western & Atlantic R. R.”

Under this Section it was not believed that the Governor was required to insure the penitentiary at Milledgeville. This insurance has heretofore been kept up by the Prison Commission under the construction put upon the law by the Executive Department. The Prison Commission, however, has recently secured an opinion from the Attorney-General to the effect that the words “penitentiary at Milledgeville,” as used in the statute, did not include the buildings on the present State Farm, and have therefore asked the Governor to insure the same.

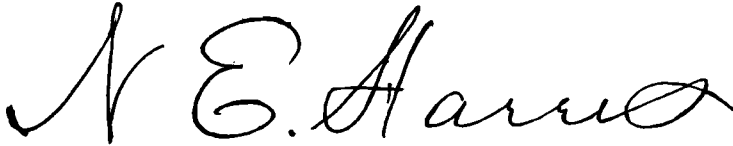
This will require an expenditure of some two thousand dollars, I am informed, and the money has not been appropriated. If you desire this insurance carried with the other insurance of the State, and agree with the Attorney-General that the law requires the Governor to insure these buildings, then I respectfully ask that you appropriate the necessary funds to continue the insurance, which is about to

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be cancelled; otherwise it will not be practicable for the same to be continued by this Department.

Respectfully submitted,

A handwritten signature in cursive script, reading "N. E. Harris". The signature is fluid and elegant, with a large initial "N" and a long, sweeping underline.

Governor.

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(Copy.)

GARLAND M. JONES.  
ATTORNEY AT LAW  
NEWNAN, GEORGIA.

Sept. 8, 1915.

*To His Excellency, Governor N. E. Harris,  
Atlanta, Georgia.*

DEAR GOVERNOR:

The Board of Visitors appointed by you to visit the School for the Deaf at Cave Spring and investigate the charges against the management and the Superintendent Wesley O. Connor, visited Cave Spring on September 7th, 1915, and instructed me, as their chairman, to make the following report to you:

“Resolved that the chairman be and he is hereby instructed to report to the Governor that the Board of Visitors appointed to investigate the School for the Deaf at Cave



Spring, after investigating the same find that the affairs of the school are administered in an efficient, useful and businesslike manner, and that after hearing all available testimony, the Board of Visitors are of the opinion that the charges against Professor W O. Connor and the institution are without foundation.

“We have not felt ourselves capable of distinguishing between the merits of the Labial or Lip System and the Manual System, we therefore make no report as to this, but recommend that the Board of Trustees investigate this question and report the same to His Excellency, the Governor.”

As instructed above, I herewith transmit this report to you.

Yours respectfully,

(Signed) J R. McFARLAND,

G.M.J./e

Chairman, Board of Visitors

r

School for the Deaf.

(Copy.)

Rossville, Ga., Sept. 11, 1915.

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*To His Excellency, Governor N E. Harris,  
Atlanta, Georgia.*

DEAR GOVERNOR:

As Chairman of the Committee appointed by your Excellency to visit the School for the Deaf, at Cave Spring, Ga., beg to report we have discharged our duties as best we could. Eight of our committee

were present. We also examined the property under House Resolution No. 52, but only charged our expenses for one committee, this saving the State some expense. Please find enclosed the report.

Hoping you will soon fully recover from your hard summer's work, I remain,

Your very obedient friend,

(Signed) J R. McFARLAND.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed as amended by the requisite constitutional majority the following bills of the Senate, to-wit.:

A bill to further mitigate the evils of intemperance.

A bill to prohibit the advertisements of certain liquors.

Also, the House has adopted as amended, the following resolution of the Senate, to-wit.:

A resolution inviting Hon. Bradford Knapp to address the General Assembly.

The following Senate resolution was taken up to be put upon its passage, to-wit.:

By Mr. Walker—

A resolution asking Congress to assist in the development of Southern water powers.

Mr. Walker offered the following amendment, which was adopted:

Amend by adding in the 7th line of Section 3, the Ocmulgee, Savannah and Altamaha Rivers, and changing the figure "10" to "15" in 2nd line of Section 6.

The resolution was adopted as amended.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has adopted the following resolution of the House, to-wit.:

A resolution memorializing Congress relative to the development of Georgia's waterways.

The following Senate bills were taken up for the purpose of acting on the amendments of the House, to-wit.:

By Messrs. Eakes and Walker—

A bill to further mitigate the evils of intemperance and to make more effective the laws touching the sale and keeping on hand of certain prohibited liquors, etc.

The House proposed to amend as follows:

By striking the word "January" in second line, 30th section and substituting therefor the word "May."

The House amendment was agreed to.

By Messrs. Mangham and Ransom—

A bill to promote temperance by preventing the advertisement of, solicitations of orders of alcoholic, vinous and malted liquors and imitations of same.

The House proposed to amend as follows:

Amend by striking the words “the passage of this Act” in the 6th line of Section One, and insert in lieu thereof the words “May 1st, 1916.”

Amend by striking from the 18th line of Section One the words “for fifteen days after the passage of this Act” and insert in lieu thereof the words, “after May 1st, 1916.”

Amend by striking from line 2 of Section Two, the words “the passage of this Act” and insert in lieu thereof the words “May 1st, 1916.”

Amend Section 5, line 3, by striking the words “its passage” and insert the words “May 1st, 1916.”

The House amendments were agreed to.

The following House resolution was read and adopted, to-wit.:

By Messrs. Swift and Neill of Muscogee—

A resolution memorializing Congress relative to the development of Georgia's waterways.

The following Senate resolution was taken up for the purpose of acting upon the House amendment thereto:

By Mr. Walker—

A resolution inviting Hon. Bradford Knapp of the National Department of Agriculture to address the General Assembly upon methods of combating the ravages of the Mexican boll weevil.

The House proposed to amend the resolution by striking the words “at his earliest convenience” and inserting “at the next regular session, at such time as he may designate.”

Mr. Walker moved that the Senate disagree to the House amendment. Upon this motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

Akin, L. R.	Harbin, T. W.	Pickett, Roscoe
Bailey, L. S.	Harrison, W. T.	Smith, E. M.
Bonner, T. B.	Holden, Jno. F.	Stovall, A. S. J.
Boykin, H. A.	Lawrence, A. A.	Tison, Mark
Buchanan, W. A.	Mangham, J. J.	Tracy, C. C.
Burnside, J. B.	McFarland, J. R.	Trammell, J. R.
Dobbs, E. P.	McLaughlin, B. F.	Turner, T. R.
Eakes, W. J.	Paulk, Geo. A.	Ward, C. A.
Fagan, T. V.	Paulk, M. J.	Walker, J. D.
Gillis, N. L.	Peacock, Z. V.	Way, J. B.
Goolsby, B. E.	Pickett, D. C.	Wren, W. J.
Haralson, Pat		

Those voting in the negative were Messrs.:

Thomas, J. R.

Those not voting were Messrs.:

Adams, J. O.	Fletcher, H. M.	McCrory, C. R.
Callahan, J. W.	Minter, C. C.	Ransom, W. M.
Carlton, J. A.	Noon, E. T.	

Ayes 34, nays 1.

The motion was adopted.

Upon motion the Senate adjourned until 11 o'clock tomorrow morning.

SENATE CHAMBER, ATLANTA, GA.,  
Wednesday, November 17, 1915.

The Senate met pursuant to adjournment at 11 o'clock A M., and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journal was dispensed with.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed by the requisite constitutional majority the following bills of the House, to-wit.:

A bill making the general appropriations for the State for the years 1916 and 1917

A bill appropriating \$4,500 to the State Normal School at Athens for an infirmary.

A bill providing additional funds for the support and maintenance of the Agricultural and Mechanical Schools of the State.

Also the House has adopted the following resolution of the House, to-wit.:

A resolution providing for joint committee from the House and Senate to make arrangements for the Governor to address a joint session of the General Assembly at 11:15 A. M. Thursday and inviting corn club boys and canning club girls.

The Speaker has appointed as said committee on the part of the House

Messrs. Campbell of Newton,  
Andrews of Fulton,  
Clements of Irwin.

Mr. Dobbs of the 35th District, Chairman of the Committee on Western & Atlantic Railroad, submitted the following report:

*Mr President:*

Your Committee on Western & Atlantic Railroad has had under consideration the following bill of the Senate and instructed me as their chairman to report same back to the Senate with the recommendation that same do pass as amended, to-wit.:

A bill to provide for re-leasing the Western & Atlantic Railroad.

Respectfully submitted,

E. P. DOBBS, Chairman.

The following House resolution was read and adopted, to-wit.:

By Messrs. Campbell and Andrews—

A resolution providing for a joint session of the General Assembly Thursday, November 18, 1915,



at 11:15 o'clock A. M., to hear an address from the Governor. Also providing for a joint committee of two from the Senate and three from the House to make arrangements to have the corn club boys and canning club girls present to hear said address.

The President appointed as the committee on part of the Senate

Messrs. Callahan,  
Boykin.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Jones:

*Mr President:*

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication in writing for which he requests consideration in executive session.

The following Senate bill was taken up for the third reading to be put upon its passage:

By Messrs. Dobbs and McLaughlin—

A bill to provide for the leasing or other disposition of the Western & Atlantic Railroad.

The following committee amendments were adopted, to-wit.:

The Committee on the Western & Atlantic Railroad Bill, same being known as Bill No. 7, by Messrs. Dobbs of the 35th and McLaughlin of the 36th Districts, amends printed bill as follows, to-wit.:

Committee amends Section 1 by adding after the word "and" in second line of said section the following: "the chairman of the Railroad Commission." Also by striking out the word "eight" in said section and inserting in lieu thereof the word "five;" committee further amends said section by striking out after the word "House" in the sixth line of said section all of the remainder of line six down to the word "Commission" in line nine.

Committee further amends by striking all of Section 4 of said bill and inserting in lieu thereof the following, which shall be known as Section 4:

"Section 4. The Attorney-General and the Attorney for the Railroad Commission of this State shall be the legal advisers of the Commission, to be appointed as provided in this bill."

Committee further amends by striking out the words "director for the" in the first line of Section Five, and committee further amends by striking out the word "he" in sub-division one of the first line and inserting in lieu thereof the word "they," and by inserting after the word "prepared" in the first line of said Section One the words "or procured." By striking out the word "he" in the first line of sub-division five and inserting in lieu thereof the word "they."

Committee further amends by striking all of lines 26, 27, 28, 29, 30 and 31 in sub-Section 5.

Committee further amends Section 6 by inserting after the word "purposes" in the eighth line thereof

the following: "provided said lease shall not be binding on the State until submitted to and ratified and confirmed by both Houses of the Legislature." The committee further amends Section 6 by adding after the word "ensuing" in line 15 the following: "provided same has been ratified and confirmed by both Houses of the Legislature."

The committee further amends Section 6 by adding after the word "Commission" in the 23d line thereof and before the word "shall" the following: "and ratified and confirmed by both branches of the General Assembly."

The committee further amends Section 10 by striking between the words "Governor or Attorney-General" the word "or" and inserting in lieu thereof the word "and."

The committee further amends Section 15 by striking out the word "director" whenever it occurs in said section.

The committee further amends by striking all of Section 17 and adopting in lieu thereof the following amendments by Messrs. Boykin and Harrison, which shall be numbered Section 17:

Boykin of the 17th and Harrison of the 25th move to amend:

Senate Bill No. 7, known as W & A. Bill, by inserting after Section 16, 17 in lieu of Section 17 as written in said original bill, the following to be known as Section 17:

“Be it further enacted, That said Commission are hereby empowered, authorized and instructed to secure for the use of the General Assembly the reports covering a complete investigation of the Western & Atlantic Railway in the following order :

“Par. A. What real estate the State of Georgia owns at the mouth of St. Marys River and Cumberland Sound, which would be available for deep water terminals for the Western & Atlantic Railroad, its acreage and exact location, and also, depth of surrounding waters and its accessibility to ocean vessels. The said Commission is further instructed to furnish like information as to the nearest water front property to that which may be owned by the State, also, the cost of purchasing other property of equal facility, for use as deep water terminals for the Western & Atlantic Railroad. As part of this report on deep sea terminals, the said Commission will submit such maps, coast surveys and other data, of like character, as may be found necessary, to the extent of showing the location, adaptability of such real estate, as above set forth, for general terminal use for the Western & Atlantic Railroad, as well as all other Atlantic ports wholly within the State of Georgia.

“Par. B. Said Commission shall secure, as far as may be possible, complete information of any survey or surveys which have been made, from any point on the coast of Georgia, towards Atlanta; also, of any prospective railroad or railroads, together with maps, showing the mileage surveyed, as well as construct-

ed; also counties traversed and to be traversed; also estimate of cost of construction, character and kind of construction and material used. To secure all such information as will show the cost per mile, likewise, the entire cost of such railroad building and equipping. The Commission is instructed to invite and receive all such information, from any reliable source, and to investigate.

“Par. C. Said Commission is further empowered, authorized and instructed, if necessary, to employ one or more competent persons to assist in making report to determine the reasonable cost and probable earning power and value of said road, to the people of Georgia as an extension of the Western & Atlantic Railroad to deep water.

“Par. D. Said Commission shall also inquire into the practicability of establishing steamship connections, of the said extension of the Western & Atlantic Railroad, with the port of New York, also, coastwise service. Said Commission shall report to what extent, if any, the wharfage charges, which prevail along the South Atlantic coast, particularly at the ports of Georgia, could be reduced by State ownership and regulation of wharfage charges.

“Par. E. Said Commission shall obtain information, without unreasonable cost, showing the value and quantity of commodities, such as hides, coffee, sugar and the like, imported from South American countries, through the ports of New York, Baltimore and New Orleans, and reshipped by rail and dis-

tributed in the State of Georgia. The rates from point to point, such as Rio Janeiro, Montevideo, Santos, LaGuira and Santa Marta to the above mentioned ports, thence to the State of Georgia, and probable reductions, which might be made, in transportation charges, if such duties were imported through Georgia ports.

“Par. F Said Commission shall include, in its report, such information as may be had, concerning the South American ports sending the largest imports into the United States, and, by inquiry among the Georgia merchants and manufacturers, the quantity of goods exported to South America. How much of the Georgia exports, going, practically all of them, through New York, could be shipped through a Georgia port.

“Par. G. Said Commission shall make inquiry of the county authorities of the counties lying between Atlanta, Georgia, and the Seaboard, and learn to what extent the counties, through convict labor, or otherwise, would aid the State in constructing extension of the Western & Atlantic Railroad to the sea.

“Par. H. If there should be any person, or association of persons or corporation, who might desire to submit a proposition to construct, or submit plans for the construction of the extension of the Western & Atlantic Railroad to the sea, the said Commission is authorized to receive same, in writing, covering the construction and equipping of said extension.”

Section 17 of said original bill shall be numbered Section 18 and each section accordingly thereafter.

The committee further amends by adding a section to be known as Section 20, which shall read as follows:

“Section 20. Be it further enacted, That the terms and conditions of the lease made and agreed upon by the Commission shall not be effective and binding upon the State of Georgia until the same has been ratified and confirmed by both Houses of the General Assembly.”

The committee further amends by striking from Section 20 the word “twenty” and inserting in lieu thereof the word “twenty-one.”

The following amendment was read and adopted:

By Mr. Lawrence—

Amend by adding between the 15th and 16th lines of page 4 of the printed bill, the following:

“Said lease shall preserve the right of the State to authorize the opening of highways across the said railroad and shall also reserve the right of the State to erect any superstructure above the property or right of way of the Western & Atlantic Railroad not inconsistent with the use of the property for railroad purposes.”

The report of the committee was agreed to as amended.

The bill was read the third time.

Upon the passage of the bill the ayes were 32, nays 0.

The bill, having received the requisite constitutional majority, was passed as amended.

The following House bills were read the first time, to-wit.:

By Mr. Fullbright of Burke—

A bill to provide for the general appropriations of the State for the years 1916 and 1917 and for other purposes.

Referred to the Appropriations Committee.

By Messrs. Stewart of Coffee and Wheatley of Sumter—

A bill to provide additional funds for the support of the Agricultural and Mechanical Schools of this State.

Referred to the Appropriations Committee.

By Messrs. Brown and Arnold of Clarke—

A bill to appropriate to the State Normal School at Athens the sum of \$4,500 for the purpose of building an infirmary.

Referred to the Appropriations Committee.

Mr. Wren of the 18th District, Chairman of the Committee on Agriculture, submitted the following report:



*Mr President:*

Your Committee on Agriculture has had under consideration the following bill of the Senate and instructed me as their chairman to report same back to the Senate with the recommendation that same do pass as amended, to-wit.:

A bill to create a Warehouse Department for the State of Georgia.

Respectfully submitted,

W J. WREN, Chairman.

The following Senate bill was recommitted to the Committee on Agriculture, to-wit.:

By Messrs. Boykin and Eakes—

A bill to create a Warehouse Department for the State of Georgia.

The following resolution was read and adopted:

By Mr. Mangham—

A resolution providing for the manner of paying the Governor's salary and expenses.

RESOLVED, By the Senate, the House of Representatives concurring, That the salary of the Governor shall be paid monthly, beginning with the day of the inauguration, and any fraction of the month at the beginning of his term shall be paid for at the yearly rate, notwithstanding any law or custom or regulation of the departments to the contrary.

RESOLVED FURTHER, That the expenses of the Governor incurred in the business of the State shall be

paid on itemized statements signed by him, and he shall draw his warrant on the Treasury for the same.

On motion of Mr. Dobbs Senate Bill No. 7 was ordered immediately transmitted to the House.

Mr. Burnside moved to reconsider the action of the Senate in ordering Senate Bill No. 7 immediately transmitted to the House. The motion was lost.

At 12:55 o'clock P M. the Senate went into executive session.

The executive session was on motion dissolved.

The Senate adjourned until 11 o'clock tomorrow morning.

SENATE CHAMBER, ATLANTA, GA.,

Thursday, November 18, 1915.

The Senate met pursuant to adjournment at 11 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bill of the House, to-wit.:

A bill to appropriate certain sums for the Georgia Training School for Girls.

Also, the House passed by the requisite constitutional majority the following resolutions of the House, to-wit.:

A resolution making an appropriation to supply a deficiency in the Military Department.

A resolution appropriating \$60.00 to pay a pension to Mrs. Harriet C. Hargett.

A resolution making an appropriation to supply a deficiency in the printing fund.

A resolution providing for the payment of the incidental expenses of the extra session.

Also, the House has adopted the following resolution of the House, to-wit.:

A resolution providing that the joint session of the House and Senate on Thursday, November 18, be held at 12 noon, instead of at 11:15 A. M. as heretofore fixed.

Also, the House has adopted, as amended, the following resolution of the Senate, to-wit.:

A resolution authorizing the Governor to employ a certified public accountant to audit books of all State departments and institutions.

The following resolution of the House was read and adopted, to-wit.:

By Messrs. Andrews, Campbell and Clements—

A resolution providing that the joint session for November 18, 1915, be held at 12 o'clock noon, instead of 11:15 o'clock A. M.

Mr. Boykin of the 17th District, Chairman of the Committee on Enrollment, submitted the following report:

*Mr. President:*

Your Committee on Enrollment report as duly enrolled and ready for the signature of the President

of the Senate and Speaker of the House of Representatives, the following Acts, to-wit.:

An Act to repeal all laws and parts of laws which prescribe or authorize taxes upon the manufacture, sale and storage of substitutes for intoxicants.

An Act to make clearer and more certain the laws of Georgia, heretofore enacted, prohibiting the manufacture and sale of spirituous and intoxicating liquors.

An Act to promote temperance by preventing advertisement of, solicitations of orders for alcoholic liquors and for other purposes.

An Act to further mitigate the evils of intemperance and to make more effective the laws touching the sale and keeping on hand of certain prohibited liquors.

Respectfully submitted,

H. A. BOYKIN, Chairman.

Mr. Boykin of the 17th District, Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

Your Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House of Representatives, and delivered to the Governor the following Acts, to-wit.:

An Act to repeal all laws and parts of laws which prescribe or authorize taxes upon the manufacture, sale and storage of substitutes for intoxicants.

An Act to make clearer and more certain the laws of Georgia, heretofore enacted, prohibiting the manufacture and sale of spirituous and intoxicating liquors.

An Act to promote temperance by preventing advertisement of, solicitations of orders for alcoholic liquors and for other purposes.

An Act to further mitigate the evils of intemperance and to make more effective the laws touching the sale and keeping on hand of certain prohibited liquors.

Respectfully submitted,

H. A. BOYKIN, Chairman.

Mr. Ward of the 5th District, Acting Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

Your Committee on Engrossing has examined and found properly engrossed and ready for transmission to the House, the following resolutions, to-wit.:

A resolution asking Congress to assist in the development of Southern water powers.

A resolution concerning the salary and expenses of the Governor.

Respectfully submitted,

C. A. WARD, Acting Chairman.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Jones:

*Mr President:*

I am directed by His Excellency, the Governor, to deliver to the Senate a message in writing, for which he asks consideration.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT.

November 18, 1915.

*To the General Assembly:*

The deficiency in the appropriation to the Capitol and Mansion fund will probably come before you for consideration at the present extraordinary session.

This deficiency arose before my administration began. There was a very small amount lost on the first warrant drawn by myself in favor of this fund, but the shortage, whatever it was during my administration, has been restored.

The deficiency therefore has come over from former administrations, and the people to whom the debts are due have waited in many instances several years for their pay for supplies and material furnished to the Capitol and Mansion.

Since the default was discovered in the fund, which must be distinguished from the deficiency itself, no money has been turned over to the present Keeper of Public Buildings and Grounds, but the payments for help and material are being made from the warrant desk of the Governor.

I have not taken any steps towards the removal of the present incumbent, or even considered his removal since the resolution came over from the Senate for an investigation. I did not believe I ought to change the status until the Legislature had acted if jurisdiction had been taken in that direction.

None of the money which is asked for the deficiency will pass through the office of the principal keeper, but it is expected to have the payments made after careful investigation from the Governor's own office, so that no wrong should be done to the State, or to the citizens who have trusted the State.

I have thought it best to make these statements to you because of suggestions by some of your body that the matter was not fully understood by you.

Be assured if you appropriate any money for this deficiency it shall be faithfully applied to the purpose you intend it, under the Governor's direct supervision.

Respectfully submitted,

N. E. HARRIS,

Governor.

The following Senate resolution was taken up for the purpose of action on the amendment of the House, to-wit.:

By Mr. Walker of the 20th District—

A resolution authorizing the Governor to employ a certified public accountant to audit the books of the departments and institutions supported by State appropriations.



The House amended the resolution as follows:

Amend by adding after paragraph 1 the following:  
“Provided, however, that the cost of said audit shall not exceed the sum of \$5,000.00 and shall only be made if in the discretion of the Governor, said audit shall be deemed necessary for the best interest of the State.”

The amendment was agreed to.

The following House resolutions and bill were read the first time, to-wit.:

By Mr. Fullbright of Burke—

A resolution to appropriate \$5,376.15 to supply a deficiency in the appropriation for Military Department for 1915.

Referred to the Appropriations Committee.

By Mr. Hudson of Harris—

A resolution to appropriate the sum of \$60.00 to pay pension of Mrs. Harriet C. Hargett for the year 1914.

Referred to the Appropriations Committee.

By Mr. Fullbright of Burke—

A resolution to make appropriation to meet the deficiency in the printing fund of 1915.

Referred to the Appropriations Committee.

By Mr. Fullbright of Burke—

A resolution providing for the payment of incidental expenses of the extraordinary session of 1915.

Referred to the Appropriations Committee.

By Messrs. Andrews, Blackburn and Atkinson of  
Fulton—

A bill to appropriate certain sums to the Georgia  
Training School for Girls.

Referred to the Appropriations Committee.

Mr. Walker of the 20th District, Chairman of the  
Committee on Appropriations, submitted the follow-  
ing report:

*Mr. President:*

Your Committee on Appropriations has had under  
consideration the following bill of the House and in-  
structed me as their chairman to report same back  
to the Senate with the recommendation that same do  
pass as amended, to-wit.:

A bill to provide for the general appropriations  
of the State for the years 1916 and 1917

Respectfully submitted,

JOHN D. WALKER, Chairman.

Mr. Walker of the 20th District, Chairman of the  
Committee on Appropriations, submitted the fol-  
lowing report:

*Mr President:*

Your Committee on Appropriations has had under  
consideration the following bills of the House and  
instructed me as their chairman to report same back  
to the Senate with the recommendation that same  
do pass, to-wit.:

A bill to appropriate to the State Normal School at Athens the sum of \$4,500.

A bill to provide additional funds for the maintenance and support of the Agricultural and Mechanical Schools.

Respectfully submitted,  
JOHN D. WALKER, Chairman.

The following House bills were read the second time:

By Mr. Fullbright of Burke—

A bill to provide for the general appropriations for the years 1916 and 1917

By Messrs. Brown and Arnold of Clarke—

A bill to appropriate to the State Normal School at Athens the sum of \$4,500.

By Messrs. Stewart and Wheatley—

A bill to provide additional funds for the maintenance and support of the Agricultural and Mechanical Schools.

At 11:30 o'clock the Senate took a recess, subject to the call of the chair.

The Senate reconvened and was called to order by the President.

By unanimous consent the Senate reconsidered its action in adopting the following resolution of the Senate, to-wit.:

By Mr. Mangham—

A resolution relative to the method of paying the salary of the Governor.

The following Senate resolution was read the second time and ordered engrossed, to-wit.:

By Mr. Mangham—

A resolution relative to the method of paying the salary of the Governor.

The hour of 12 o'clock M. having arrived, the Senate proceeded to the Hall of the House of Representatives. The joint session was called to order by the President of the Senate.

The resolution convening the General Assembly in joint session was read.

The Governor was escorted to the Hall of the House of Representatives by the joint committee on arrangements.

The President of the Senate introduced Governor Harris, who addressed the joint session. Addresses were also delivered by Chancellor Barrow of the University of Georgia and President Soule of the State Agricultural College.

By invitation the boys' corn clubs and the girls' canning clubs were present.

President Persons delivered the prizes to the girls' canning clubs and Speaker Burwell delivered the prizes to the boys' corn clubs.

The joint session was dissolved and the Senate repaired to its Chamber.

Upon motion the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GA.,

FRIDAY, November 19, 1915.

The Senate met pursuant to adjournment at 10 o'clock, A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journal was dispensed with.

Mr. Stovall, of the 30th District, Acting Chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

Your Committee on Engrossing has examined and found properly engrossed and ready for transmission to the House, the following Senate bills, to-wit.:

A bill to provide for the leasing of the Western & Atlantic Railroad.

Respectfully submitted,

A. S. J. STOVALL,

Acting Chairman.

The following resolution was read and adopted:

By Mr. Stovall—

A resolution authorizing the various committees

of the Senate and House to visit the different institutions of the State during vacation.

Upon motion the above resolution was ordered immediately transmitted to the House.

The following resolution was read and adopted:

By Mr. Persons, of the 22d District—

WHEREAS, a recent order has been issued by Post Master General Burleson, inaugurating automobile service on the rural routes of this State, and

WHEREAS, the condition of the roads of this State in many of the rural counties are yet in an imperfect state which causes them to become difficult, if not impossible, to travel by automobile during certain seasons of the weather, thus imposing upon the mail carriers of the Rural Free Delivery the expense of maintaining automobiles for the purpose of complying with the order of the said Post Master General of the United States, which is disproportioned to the salaries of the carriers, as well as imposing conditions which it is practically impossible for them to comply with at said stated seasons of the weather:

BE IT THEREFORE RESOLVED, By the Senate of Georgia, the House concurring, that we request the members of the United States Senate and the members of Congress of the United States from Georgia, to use their influence either with Post Master General Burleson, or the Congress of the United States, looking to a revoking of said order requiring mail carriers to use automobiles on the

rural free delivery routes, or to so modify the same as to leave it optional with said carriers as to whether they will use automobiles, or to so restrict the effects of said order to those counties where the conditions of the roads for all seasons of weather will permit the use of said automobiles for the purpose of delivering mail over the rural free delivery routes of this State.

BE IT FURTHER RESOLVED BY THE AUTHORITY AFORESAID, That copies of this resolution be mailed to our members in Congress from this State.

The following House bill was taken up for a third reading and put upon its passage, to-wit.:

By Mr. Fullbright of Burke—

A bill to provide for the general appropriation of the State for the years 1916 and 1917

Mr. Mangham offered the following amendments, which were adopted:

That the following clauses be inserted at the end of Section 1:

“Provided that the salaries of the Governor and the secretaries and clerks of the Executive Department shall be due and payable monthly at the end of each calendar month, and that the salary of the Governor shall begin with the day of his inauguration and any fraction of a month at the beginning of his term shall be paid for at the monthly rate, notwithstanding any law or custom or regulation of the departments to the contrary.



“Provided, further, that the expenses of the Governor incurred in the business of the State shall be paid on itemized statements signed by him, and he shall draw his warrant on the Treasury for the same.”

The following committee amendments were read and adopted, to-wit.:

The committee amends Section 3, by adding after the word “needed,” in the 56th line of said section, the following:

“Provided, That the sum of two hundred and eighty-one and 35-100 dollars be appropriated for compensation and expenses for the payment of the expenses of the committee from the Senate that investigated the Old Soldiers’ Home in vacation, and is hereby made immediately available.”

Amend Section 4, line 103, by adding the words “Said trustees shall make a detailed report annually to the Governor and General Assembly as required of other State institutions.”

Amend Section 5, line 134, after the figures “1915” add “The Chairman of the Board of Trustees shall report annually to the General Assembly an itemized statement of all receipts and expenditures and a detailed statement of the affairs of said college.”

Amend Section 4 by adding after the word “needed,” in line 13, the following words: “In addition there is also appropriated the sum of \$2,000 to said institution for the purchase of typewriters and dormitory equipment for the year 1916.”

Also amend Section 4, line 22, by substituting the figures \$50,000 for \$45,000.

Also amend Section 4, line 68, by substituting the figures \$40,000.00 for \$36,000.00.

Also amend Section 4, line 84, by substituting the figures \$30,000.00 for \$20,000.00, and in line 85, \$30,000.00 for \$20,000.00.

Also amend Section 5, line 13, by substituting the figures \$60,000.00 for \$50,000.00.

Also amend Section 5, line 27, by substituting the figures \$7,500.00 for \$5,000.00.

Also amend Section 5 by substituting the figures \$100,000 for \$80,000 in line 42.

Also amend Section 5, line 94, by substituting the figures \$57,500 for \$47,500.

Amend Section 7, sub-division 2, by striking the word "plant," in fourth line and inserting in lieu thereof the words "and other plants," so that said sub-division as amended shall read: "For work which the Board is conducting on the eradication of wilt or black root of cotton, nematode or root rust, experimental work on the development and perfection of types of cotton to be grown in spite of boll weevil and work on other seriously injurious insects and diseases affecting the cotton and other plants, \$30,000."

Also amend Section 7, lines 152 and 153 by striking the figures \$80,000 for each of the years 1916 and

1917 and inserting in lieu thereof the following: \$110,000 for the year 1916, and \$100,000 for the year 1917

Amend Section 7 by striking the entire sub-section relating to the Military Department, beginning with line 371, and inserting the following: "For the military fund of the State for necessary expenses in maintaining the militia forces of the State of Georgia, the sum of \$40,000, or so much thereof as may be needed to be expended for the purpose of organizing, arming and equipping, clothing, drilling and training the National Guard of Georgia, for paying said troops when in actual service, for encampments of said troops, for riot or other military service, for the payment of armory rents, and for the administration of military departments of the State, including necessary clerical assistants under the direction of the Governor."

Amend Section 7, line 13, by striking "\$1,200," and substituting "\$1,800" therefor.

Amend Section 7, line 215, by striking "\$2,500" and substitute "\$2,400" therefor.

Amend Section 8, line 48, by adding these words: "\$150.00 of said funds, or so much as needed to be immediately available for the use of the Governor in paying Georgia's share of the cost of holding an annual conference of the governors of the different States."

Mr. Goolsby of 28th District, offered the following amendment:

Moves to strike the figures “\$2,650,000.00 dollars,” in line 191, of Section 5, and insert in lieu thereof the figures “\$2,700,000.00 dollars.”

Upon this amendment the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

Bailey, L. S.	Moon, E. T.	Thomas, J. R.
Buchanan, W. A.	McCrory, C. R.	Tison, Mark
Eakes, W. J.	McFarland, J. R.	Tracy, C. C.
Goolsby, B. E.	Paulk, Geo. A.	Trammell, J. R.
Harrison, W. T.	Pickett, Roscoe	Turner, T. R.
Mangham, J. J.	Smith, E. M.	Ward, C. A.
Minter, C. C.	Stovall, A. S. J.	Way, J. B.

Those voting in the negative were Messrs.:

Akin, L. R.	Carlton, J. A.	Lawrence, A. A.
Bonner, T. B.	Dobbs, E. P.	McLaughlin, B. F.
Boykin, H. A.	Fletcher, H. M.	Pickett, D. C.
Burnside, J. B.	Gillis, N. L.	Walker, J. D.
Callahan, J. W.	Haralson, Pat	

Those not voting were Messrs.:

Adams, J. O.	Holden, Jno. F.	Ransom, W. M.
Fagan, T. V.	Paulk, M. J.	Wren, W. J.
Harbin, T. W.	Peacock, Z. V.	

Ayes 21, nays 14.

The amendment was adopted.

Mr. Pickett of the 41st District, offered the following amendment to Section 5, which was adopted:

Amend by adding after the word “provided,” in line 182 of said section the words: “Provided, That no part of this appropriation shall be used to pay the salaries of any member of the Board of Trustees

of any Agricultural College of this State for services as trustee or otherwise, except the usual per diem compensation allowed by law, together with their actual necessary expenses while going to and returning from their places of meeting.”

The report of the committee, as amended, was agreed to.

Upon the passage of the bill the vote was as follows:

Those voting in the affirmative were Messrs.:

Adams, J. O.	Gillis, N. L.	Paulk, Geo. A.
Akin, L. R.	Goolsby, B. E.	Pickett, D. C.
Bailey, L. S.	Haralson, Pat	Pickett, Roscoe
Bonner, T. B.	Harbin, T. W.	Smith, E. M.
Boykin, H. A.	Harrison, W. T.	Stovall, A. S. J.
Buchanan, W. A.	Lawrence, A. A.	Tison, Mark
Burnside, J. B.	Mangham, J. J.	Tracy, C. C.
Callahan, J. W.	Minter, C. C.	Trammell, J. R.
Carlton, J. A.	Moon, E. T.	Turner, T. R.
Dobbs, E. P.	McCrory, C. R.	Ward, C. A.
Eakes, W. J.	McFarland, F. B.	Walker, J. D.
Fagan, T. V.	McLaughlin, B. F.	Way, J. B.
Fletcher, H. M.		

Those not voting were Messrs.:

Holden, Jno. F.	Peacock, Z. V.	Thomas, J. R.
Paulk, M. J.	Ransom, W. M.	Wren, W. J.

Ayes 37, nays 0.

The bill having received the requisite constitutional majority was passed, as amended.

Mr. Walker, of the 20th District, Chairman of the Committee on Appropriations, submitted the following report:

*Mr. President:*

Your Committee on Appropriations has had under consideration the following bill and resolutions of the House, and instructed me as their Chairman to report same back to the Senate with the recommendation that same do pass, to-wit.:

A bill to appropriate certain sums to the Georgia Training School for Girls.

A resolution to appropriate \$5,376.15 to supply a deficiency in the appropriation for the Military Department for the year 1915.

A resolution to appropriate \$60.00 to pay pension of Mrs. Harriet C. Hargett, for 1914.

A resolution providing for the payment of the incidental expenses of the extraordinary session of 1915.

Respectfully submitted,

JNO. D. WALKER,

Chairman.

The following House resolutions and bill were read the second time, to-wit.:

By Mr. Fullbright—

A resolution to appropriate \$5,376.15 to supply a deficiency in the appropriation for the Military Department for the year 1915.

By Mr. Hudson—

A resolution to appropriate \$60.00 to pay pension of Mrs. Harriet C. Hargett for 1914.

By Mr. Fullbright—

A resolution providing for the payment of the incidental expenses of the extraordinary session of 1915.

By Messrs. Andrews, Blackburn and Atkinson, of  
Fulton—

A bill to appropriate certain sums to the Georgia Training School for Girls.

Upon motion of Mr. Harrison, the Senate adjourned until Monday at 11:30 o'clock A. M.

SENATE CHAMBER, ATLANTA, GA.,

Monday, Nov. 22, 1915.

The Senate met pursuant to adjournment at 11:30 o'clock, A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

Mr. Walker gave notice that at the proper time he would move to reconsider the action of the Senate in the passage of the General Appropriation Bill.

By unanimous consent the reading of the Journal of Friday's session was dispensed with.

Mr. Walker moved to reconsider the action of the Senate in passing the following bill of the House, to-wit.:

By Mr. Fullbright—

A bill to provide for the general appropriations for the years 1916 and 1917 The motion prevailed.

Mr. Ward, of the 5th District, Acting Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

Your Committee on Engrossing has examined and found properly engrossed and ready for transmission to the House, the following resolution of the Senate, to-wit.:



A resolution in reference to use of automobiles on the rural free delivery routes. ,

Respectfully submitted,

C. A. WARD, Acting Chairman.

Mr. Haralson, of the 40th District, Acting Chairman of the Committee on Enrollment, submitted the following report:

*Mr. President:*

Your Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives the following resolution, to-wit.:

A resolution authorizing the Governor to employ a certified public accountant to audit the books of all departments, and institutions, supported by State appropriations.

Respectfully submitted,

PAT HARALSON,

Acting Chairman.

Mr. Haralson, of the 40th District, Acting Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

Your Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House, and delivered to the Governor the following resolution, to-wit.:

A resolution authorizing the Governor to employ

a certified public accountant to audit the books of all departments and institutions, supported by State appropriations.

Respectfully submitted,

PAT HARALSON,

Acting Chairman.

The following reconsidered bill was taken up and put upon its passage, to-wit.:

By Mr. Fullbright of Burke—

A bill to provide for the general appropriation of the State for the years 1916 and 1917

Mr. Walker of the 20th District offered the following amendment, which was adopted, to-wit.:

Amend Section 8, line 26, by striking the figures “\$30,000,” and substituting “\$35,000” therefor, and add these words: “\$5,000 of said sum, or so much thereof as is needed, to be used only for purpose of paying for audit of State departments and institutions in accordance with resolution of House and Senate.”

The report of the committee, as amended, was agreed to.

Upon the passage of the bill the vote was as follows:

Those voting in the affirmative were Messrs.:

Akin, L. R.	Callahan, J. W.	Goolsby, B. E.
Bailey, L. S.	Dobbs, E. P.	Haralson, Pat
Buchanan, W. A.	Eakes, W. J.	Harbin, T. W.
Burnside, J. B.	Fagan, T. V.	Harrison, W. T.

Holden, Jno. F.	McLaughlin, B. F.	Tracy, C. C.
Lawrence, A. A.	Paulk, M. J.	Trammell, J. R.
Mangham, J. J.	Smith, E. M.	Turner, T. R.
Minter, C. C.	Stovall, A. S. J.	Ward, C. A.
McCrory, C. R.	Tison, Mark	Walker, J. D.

Those not voting were Messrs.:

Adams, J. O.	Moon, E. T.	Pickett, Roscoe
Bonner, T. B.	McFarland, J. R.	Ransom, W. M.
Boykin, H. A.	Paulk, Geo. A.	Thomas, J. R.
Carlton, J. A.	Peacock, Z. V.	Way, J. F.
Fletcher, H. M.	Pickett, D. C.	Wren, W. J.
Gillis, N. L.		

Ayes 27, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

The following Senate resolution was read:

By Mr. Mangham—

A resolution requesting the Secretary of State to have 4,000 copies each of the Prohibition Acts, passed at this session, printed in pamphlet form, for distribution.

Referred to Committee on Public Printing.

The Senate at 11:45 A. M., took a recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock P. M., and was called to order by the President.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has adopted the following resolution of the House, to-wit.:

A resolution providing that when the General Assembly adjourn Wednesday, November 24, 1915, it adjourn sine die.

The following House resolution was read to-wit.:

By Mr. Culpepper of Meriwether—

A resolution setting the date of adjournment sine die, as Nov. 24, 1915.

Referred to Committee on State of Republic.

The following Senate resolution was read, to-wit.:

By Mr. Walker—

A resolution providing for a joint committee to consider the warehouse question during vacation.

Laid over under the Rules.

The following House bills and resolutions were taken up for a third reading, to-wit.:

By Messrs. Brown and Arnold of Clarke—

A bill to appropriate the sum of \$4,500.00 dollars to the State Normal School at Athens, Ga., for the purpose of building an infirmary

The report of the committee was agreed to.

Upon the passage of the resolution the vote was as follows:

Those voting in the affirmative were Messrs.:

Akin, L. R.	Haralson, Pat	Smith, E. M.
Bailey, L. S.	Harrison, W. T.	Stovall, A. S. J.
Burnside, J. B.	Holden, Jno. F.	Tison, Mark
Callahan, J. W.	Lawrence, A. A.	Tracy, C. C.
Dobbs, E. P.	Minter, C. C.	Trammell, J. R.
Eakes, W. J.	McCrory, C. R.	Ward, C. A.
Fagan, T. V.	McLaughlin, B. F.	Walker, J. D.
Goolsby, B. E.	Paulk, M. J.	

Those voting in the negative were Messrs.:

Harbin, T. W.	Mangham, J. J.
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Those not voting were Messrs.:

Adams, J. O.	Gillis, N. L.	Pickett, Roscoe
Bonner, T. B.	Moon, E. T.	Ransom, W. M.
Boykin, H. A.	McFarland, J. R.	Thomas, J. R.
Buchanan, W. A.	Paulk, Geo. A.	Turner, T. R.
Carlton, J. A.	Peacock, Z. V.	Way, J. B.
Fletcher, H. M.	Pickett, D. C.	Wren, W. J.

Ayes 23, nays 2.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Fullbright of Burke—

A resolution to appropriate \$5,376.15 dollars to supply a deficiency in the appropriation for Military Department of the State, for 1915.

The report of the committee was agreed to.

Upon the passage of the resolution the vote was as follows:

Those voting in the affirmative were Messrs.:

Akin, L. R.	Buchanan, W. A.	Callahan, J. W.
Bailey, L. S.	Burnside, J. B.	Dobbs, E. P.

Eakes, W. J.	Holden, Jno. F.	Paulk, M. J.
Fagan, T. V.	Lawrence, A. A.	Smith, E. M.
Fletcher, H. M.	Mangham, J. J.	Stovall, A. S. J.
Goolsby, B. E.	Minter, C. C.	Tison, Mark
Haralson, Pat	McCrary, C. R.	Tracy, C. C.
Harbin, T. W.	McFarland, J. R.	Ward, C. A.
Harrison, W. T.	McLaughlin, B. F.	Walker, J. D.

Those voting in the negative were Messrs.:

Trammell, J. R.

Those not voting were Messrs.:

Adams, J. O.	Moon, E. T.	Ransom, W. M.
Bonner, T. B.	Paulk, Geo. A.	Thomas, J. R.
Boykin, H. A.	Peacock, Z. V.	Turner, T. R.
Carlton, J. A.	Pickett, D. C.	Way, J. B.
Gillis, N. L.	Pickett, Roscoe	Wren, W. J.

Ayes 27, nays 1.

The resolution, having received the requisite constitutional majority, was passed.

By Messrs. Stewart and Wheatley—

A bill to provide additional funds for the maintenance and the support of the Agricultural and Mechanical Schools of this State.

The report of the committee was agreed to.

Upon the passage of the bill the vote was as follows:

Those voting in the affirmative were Messrs.—

Akin, L. R.	Eakes, W. J.	Holden, Jno. F.
Bailey, L. S.	Fagan, T. V.	Lawrence, A. A.
Buchanan, W. A.	Goolsby, B. E.	Mangham, J. J.
Burnside, J. B.	Haralson, Pat	Minter, C. C.
Callahan, J. W.	Harbin, T. W.	McCrary, C. R.
Dobbs, E. P.	Harrison, W. T.	McFarland, J. R.

McLaughlin, B. F.	Tison, Mark	Turner, T. R.
Paulk, M. J.	Tracy, C. C.	Ward, C. A.
Smith, E. M.	Trammell, J. R.	Walker, J. D.
Stovall, A. S. J.	!	

Those not voting were Messrs.—

Adams, J. O.	Gillis, N. L.	Pickett, Roscoe
Bonner, T. B.	Moon, E. T.	Ransom, W. M.
Boykin, H. A.	Paulk, Geo. A.	Thomas, J. R.
Carlton, J. A.	Peacock, Z. V.	Way, J. B.
Fletcher, H. M.	Pickett, D. C.	Wren, W. J.

Ayes 28, nays 0.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Hudson of Harris—

A resolution to appropriate the sum of \$60.00 to pay pension of Mrs. Harriet C. Hargett, for 1914.

The report of the committee was agreed to.

Upon the passage of the resolution the vote was as follows:

Those voting in the affirmative were Messrs.:

Akin, L. R.	Harbin, T. W.	Paulk, M. J.
Bailey, L. S.	Harrison, W. T.	Smith, E. M.
Buchanan, W. A.	Holden, Jno. F.	Stovall, A. S. J.
Burnside, J. B.	Lawrence, A. A.	Tison, Mark
Callahan, J. W.	Mangham, J. J.	Tracy, C. C.
Dobbs, E. P.	Minter, C. C.	Trammell, J. R.
Eakes, W. J.	McCrary, C. R.	Turner, T. R.
Fagan, T. V.	McFarland, J. R.	Ward, C. A.
Goolsby, B. E.	McLaughlin, B. F.	Walker, J. D.
Haralson, Pat		

Those not voting were Messrs.:

Adams, J. O.	Bonner, T. R.	Boykin, H. A.
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Carlton, J. A.	Paulk, Geo. A.	Ransom, W. M.
Fletcher, H. M.	Peacock, Z. V.	Thomas, J. R.
Gillis, N. L.	Pickett, D. C.	Way, J. B.
Moon, E. T.	Pickett, Roscoe	Wren, W. J.

Ayes 28, nays 0.

The resolution, having received the requisite constitutional majority, was passed.

By Messrs. Andrews, Blackburn and Atkinson—

A bill to appropriate certain sums to the Georgia Training School for Girls.

The report of the committee was agreed to.

Upon the passage of the bill the vote was as follows:

Those voting in the affirmative were Messrs.—

Akin, L. R.	Haralson, Pat	McLaughlin, B. F.
Bailey, L. S.	Harbin, T. W.	Paulk, M. J.
Buchanan, W. A.	Harrison, W. T.	Smith, E. M.
Burnside, J. B.	Holden, Jno. F.	Stovall, A. S. J.
Callahan, J. W.	Lawrence, A. A.	Tison, Mark
Dobbs, E. P.	Mangham, J. J.	Tracy, C. C.
Eakes, W. J.	Minter, C. C.	Trammell, J. R.
Fagan, T. V.	McCrory, C. R.	Turner, T. R.
Goolsby, B. E.	McFarland, J. R.	Ward, C. A.

Those not voting were Messrs.—

Adams, J. O.	Moon, E. T.	Ransom, W. M.
Bonner, T. B.	Paulk, Geo. A.	Thomas, J. R.
Boykin, H. A.	Peacock, Z. V.	Walker, J. D.
Carlton, J. A.	Pickett, D. C.	Way, J. B.
Fletcher, H. M.	Pickett, Roscoe	Wren, W. J.
Gillis, N. L.		

Ayes 27, nays 0.

The bill, having received the requisite constitutional majority, was passed.



By Mr. Fullbright of Burke—

A resolution providing for the payment of incidental expenses of the extraordinary session of 1915.

The report of the committee was agreed to.

Upon the passage of the resolution the vote was as follows:

Those voting in the affirmative were Messrs.—

Akin, L. R.	Haralson, Pat	Paulk, M. J.
Bailey, L. S.	Harbin, T. W.	Smith, E. M.
Buchanan, W. A.	Harrison, W. T.	Stovall, A. S. J.
Burnside, J. B.	Holden, Jno. F	Tison, Mark
Callahan, J. W.	Lawrence, A. A.	Tracy, C. C.
Carlton, J. A.	Mangham, J. J.	Trammell, J. R.
Dobbs, E. P.	Minter, C. C.	Turner, T. R.
Eakes, W. J.	McCrory, C. R.	Ward, C. A.
Fagan, T. V.	McFarland, J. R.	Walker, J. D.
Goolsby, B. E.	McLaughlin, B. F.	

Those not voting were Messrs.:

Adams, J. O.	Moon, E. T.	Ransom, W. M.
Bonner, T. B.	Paulk, Geo. A.	Thomas, J. R.
Boykin, H. A.	Peacock, Z. V.	Way, J. B.
Fletcher, H. M.	Pickett, D. C.	Wren, W. J.
Gillis, N. L.	Pickett, Roscoe	

Ayes 29, nays 0.

The resolution, having received the requisite constitutional majority, was passed.

Upon motion the Senate at 1 o'clock P. M., took a recess until 3 o'clock P. M.

The Senate reconvened at 3 o'clock P. M., and was called to order by the President.

Upon the call of the roll the following members answered to their names:

Akin, L. R.	Haralson, Pat	Pickett, Roscoe
Bailey, L. S.	Harbin, T. W.	Smith, E. M.
Buchanan, W. A.	Harrison, W. T.	Stovall, A. S. J.
Burnside, J. B.	Holden, Jno. F.	Tison, Mark
Callahan, J. W.	Minter, C. C.	Tracy, C. C.
Dobbs, E. P.	McCrary, C. R.	Trammell, J. R.
Eakes, W. J.	McFarland, J. R.	Ward, C. A.
Fagan, T. V.	McLaughlin, B. F.	Walker, J. D.

Those absent were Messrs.—

Adams, J. O.	Lawrence, A. A.	Pickett, D. C.
Bonner, T. B.	Mangham, J. J.	Ransom, W. M.
Boykin, H. A.	Moon, E. T.	Thomas, J. R.
Carlton, J. A.	Paulk, Geo. A.	Turner, T. R.
Fletcher, H. M.	Paulk, M. J.	Way, J. B.
Gillis, N. L.	Peacock, Z. V.	Wren, W. J.
Goolsby, B. E.		

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bill of the House, to-wit.:

A bill providing for the leasing or other disposition of the Western and Atlantic Railroad.

The following House bill was read the first time, to-wit.:

By Messrs. Swift of Muscogee and others—

A bill to provide for leasing the Western and Atlantic Railroad.

Referred to the Committee on W & A. R. R.

Upon motion of Mr. Smith the Senate adjourned until tomorrow morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GA.,  
Tuesday, November 23, 1915.

The Senate met pursuant to adjournment at 11 o'clock A. M., and was called to order by the President pro tem.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journal was dispensed with.

Mr. McCrory of the 13th District, Chairman of the Committee on Public Printing, submitted the following report:

*Mr. President:*

Your Committee on Public Printing has had under consideration the following resolution of the Senate and instructed me as their chairman to report same back to the Senate with the recommendation that same do pass:

A resolution requesting the Secretary of State to have printed for use of the public 4,000 copies of the prohibition laws in pamphlet form.

Respectfully submitted,

C. R. McCrory, Chairman.

Mr. Tracy of the 12th District, Chairman of the

Committee on the State of the Republic, submitted the following report:

*Mr. President:*

Your Committee on State of the Republic has had under consideration the following resolution of the House and instructed me as their chairman to report same back to the Senate with the recommendation that same do not pass, to-wit.:

A resolution setting the date of adjournment sine die as Wednesday, November 24, 1915.

Respectfully submitted,

C. C. TRACY, Chairman.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bills of the House, to-wit.:

A bill to provide for the annual registration and identification of motor vehicles.

A bill to appropriate \$2,500 to the Georgia Experiment Station.

A bill to appropriate \$14,210.83 to supply a deficiency in the funds appropriated for the maintenance of and repairs to the Capitol and Mansion.

Also, the House has passed by the requisite con-

stitutional majority the following resolutions of the House, to-wit.:

A resolution to pay the expenses of the committee visiting the Deaf and Dumb School.

A resolution to pay the expenses in connection with the Russell investigation.

Also, the House has adopted the following resolutions of the House, to-wit.:

A resolution providing for the record of a certain judgment relative to certain W & A. property.

A resolution directing that certain insurance money be applied to the use of the Department of Commerce and Labor.

Also, the House has passed by the requisite constitutional majority the following bill of the Senate, to-wit.:

A bill to provide for the protection and propagation of fish, shrimp, prawn, oysters, terrapins and other crustaceans in this State.

Also, the House has adopted the following resolution of the Senate, to-wit.:

A resolution authorizing the various committees of the House and Senate to visit the institutions of the State during vacation.

The following Senate resolution was taken up and indefinitely postponed, to-wit.:

By Mr. Mangham—

A resolution to request the Secretary of State to print in pamphlet form 4,000 copies each of the prohibition laws enacted at this session.

The following House resolution, which was reported adversely by the Committee on State of the Republic, was taken up, to-wit.:

By Mr. Culpepper—

A resolution providing that the General Assembly adjourn sine die on Wednesday, November 24, 1915.

The adverse report was agreed to and the resolution lost.

The following resolution was read and adopted, to-wit.:

By the Committee on State of the Republic—

### A RESOLUTION.

WHEREAS, The House was duly convened for the transaction of such business as is embodied in the call of the Governor on November 3d, and

WHEREAS, The House has steadfastly refused and failed to take up and put upon their passage bills that under the Constitution of the State could only originate in the House and by such failure has caused the Senate to remain in session from day to day without business upon which to act, thus entailing upon this body the burden of meeting at unreasonable and unseasonable hours to await the pleasure

of the House, and until such time as the House has exhausted its House calendar and given no consideration whatever to such Senate bills as this body could originate, and now comes the House with a multitude of these bills handed to this body simultaneously with a resolution to adjourn sine die within thirty-six hours after the receipt of such bills. Therefore be it resolved by the Senate that this body will remain in session until such time as the weighty matters now pending before the Senate, which were handed to the Senate at the eleventh hour, may receive that consideration which their importance demands.

C. C. TRACY, Chairman.

L. R. AKIN,

E. P. DOBBS,

J. W. CALLAHAN,

J. NO. F. HOLDEN,

Committee.

The following House bill was read the second time and recommitted to the Committee on W & A. R. R.

By Messrs. Swift of Muscogee and others—

A bill to provide for leasing the Western & Atlantic Railroad.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following resolution of the House, to-wit.:



A resolution providing for the appointment of a committee to investigate the warehouse question.

The following House bills and resolutions were read the first time, to-wit.:

By Mr. Fullbright—

A resolution to pay expenses of committee visiting the Deaf and Dumb School.

Referred to Committee on Appropriations.

By Mr. Connor—

A resolution to pay certain expenses in connection with the Russell investigation.

Referred to Committee on Appropriations.

By Mr. Fullbright—

A bill to appropriate \$2,500.00 to the Georgia Experiment Station.

Referred to Committee on Appropriations.

By Mr. Fullbright—

A bill to appropriate the sum of \$14,210.83 to supply a deficiency in the funds for the maintenance and repairs to the Capitol and Mansion.

Referred to Committee on Appropriations.

By Mr. Jones of Coweta—

A bill to provide for the registration of automobiles.

Referred to Committee on Finance.

The following House resolution was read and adopted, to-wit.:

By Messrs. Yeomans and Wohlwender—

A resolution directing that certain insurance money be applied to the use of the Department of Commerce and Labor.

At 11:30 o'clock A. M. the Senate took a recess subject to the call of the Chair.

The Senate reconvened and was called to order by the President.

Upon motion the Senate took a recess until 3 o'clock P. M.

The Senate reconvened at 3 o'clock P. M. and was called to order by the President.

By unanimous consent the call of the roll was dispensed with.

Upon motion the Senate at 3:15 P. M. took a recess subject to the call of the President.

The Senate reconvened at 5 o'clock P. M., was called to order by the President, and on motion of Mr. Bailey the Senate adjourned until 9 o'clock tomorrow morning.

SENATE CHAMBER, ATLANTA, GA.,

Wednesday, November 24, 1915.

The Senate met pursuant to adjournment at 9 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journal was dispensed with.

Mr. Walker of the 20th District, Chairman of the Committee on Appropriations, submitted the following report:

*Mr President:*

Your Committee on Appropriations has had under consideration the following resolutions and bills of the House and instructed me as their chairman to report same back to the Senate with the recommendation that same do pass, to-wit.:

A resolution to pay the expense of committee visiting Deaf and Dumb School.

A resolution to pay certain expenses of the Russell investigation.

A bill to appropriate the sum of \$14,210.83 to supply a deficiency in the funds appropriated for the

maintenance of and repairs to the Capitol and Mansion.

A bill to appropriate \$2,500.00 to the Georgia Experiment Station.

Respectfully submitted,  
JOHN D. WALKER, Chairman.

The following House bill was withdrawn from the Committee on Finance, read the second time and ordered recommitted to said committee, to-wit.:

By Mr. Jones of Coweta—

A bill to provide for the registration of automobiles.

The following resolution was read and adopted:

By Mr. Harrison—

A resolution providing for bringing up of unfinished business of the General Assembly

The following House resolutions and bills were read the second time, to-wit.:

By Mr. Fullbright—

A resolution to pay expenses of committee visiting Deaf and Dumb School.

By Mr. Connor—

A resolution to pay certain expenses in connection with the Russell investigation.

By Mr. Fullbright—

A bill to appropriate the sum of \$14,210.83 to sup-

ply deficiency in the funds appropriated for the maintenance and repairs to the Capitol, Mansion and grounds thereof.

By Mr. Fullbright—

A bill to appropriate \$2,500 to the Georgia Experiment Station.

On motion of Mr. Dobbs at 9:20 o'clock the Senate took recess subject to the call of the Chair.

The Senate reconvened at 10:30 o'clock A. M., and was called to order by the President.

Mr. Dobbs of the 35th District, Chairman of the Committee on Western & Atlantic Railroad, submitted the following report:

*Mr President:*

Your Committee on Western & Atlantic Railroad has had under consideration the following bill of the House and instructed me as their chairman to report same back to the Senate with the recommendation that same do pass as amended:

A bill to provide for the leasing of the Western & Atlantic Railroad.

Respectfully submitted,

E. P. DOBBS, Chairman.

The following House resolution was read and adopted, to-wit.:

By Mr. Hutcheson of Turner—

A resolution to provide for the record of a certain

judgment and finding of a special tribunal appointed to decide disputed title to certain property of Western & Atlantic Railroad.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has agreed to the following Senate amendments to the House Appropriation Bill, to-wit.:

Senate Amendments Nos. 1, 2, 3, 4, 6, 7b, 7a, 8, 9, 10, 11a, 11b, 12, 13, 14, 16a, 17a, 17b.

The House has disagreed to the following Senate amendments to the General Appropriation Bill, to-wit.:

Senate Amendments Nos. 5, 15, 16b.

Also, the House has passed by the requisite constitutional majority, the following bill of the House, to-wit.:

A bill to amend Section 2088 of the Code relative to the size of meshes of fish nets.

The Senate took up the following bill of the House for the purpose of acting on the disagreement of House to Senate amendments, to-wit.:

By Mr. Fullbright—

A bill to provide for the general appropriations of the State for the years 1916 and 1917

Mr. Walker moved that the Senate insist on its amendment to said bill, known as No. 5.

Upon this motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Akin, L. R.	Goolsby, B. E.	Paulk, M. J.
Bailey, L. S.	Haralson, Pat	Pickett, D. C.
Bonner, T. B.	Harbin, T. W.	Pickett, Rosecoe
Burnside, J. B.	Holden, Jno. F.	Smith, E. M.
Callahan, J. W.	Moon, E. T.	Tracy, C. C.
Carlton, J. A.	McCrary, C. R.	Ward, C. A.
Dobbs, E. P.	McFarland, J. R.	Walker, J. D.
Eakes, W. J.	McLaughlin, B. F.	Wren, W. J.
Fletcher, H. M.	Paulk, Geo. A.	

Those voting in the negative were Messrs.:

Harrison, W. T.	Minter, C. C.	Tison, Mark
Mangham, J. J.	Stovall, A. S. J.	Trammell, J. R.

Those not voting were Messrs.:

Adams, J. C.	Gillis, N. L.	Thomas, J. R.
Boykin, H. A.	Lawrence, A. A.	Turner, T. R.
Buchanan, W. A.	Peacock, Z. V.	Way, J. B.
Fagan, T. V.	Ransom, W. M.	

Ayes 26, nays 6.

The motion prevailed.

Mr. Walker moved that the Senate insist on its amendment known as No. 15. The motion prevailed.

Mr. Walker moved that the Senate insist on its amendment No. 16b. The motion prevailed.

The following House bill was read the first time:

By Mr. Cook of Telfair—

A bill to amend Section 2088 of the Code of 1910 relative to size of meshes of fish nets.

Referred to Committee on Fish and Game.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House insists upon its disagreement to Senate Amendments Nos. 5, 15 and 16b to the following bill of the House, to-wit.:

A bill making the general appropriations for the years 1916 and 1917,

And requests the appointment of a Conference Committee.

Also, the House has adopted as amended the following resolution of the Senate, to-wit.:

A resolution providing for the bringing up of the unfinished business of the General Assembly.

Mr. Walker moved that the Senate insist upon its amendments Nos. 5, 15 and 16b, to the following bill of the House, to-wit.:

A bill to provide for the general appropriations for the years 1916 and 1917

The motion prevailed.

Mr. Walker moved that the Senate ask for a Committee on Conference on said bill.

The motion prevailed and the President appointed



the following as members of the Conference Committee on part of the Senate:

Messrs. Walker,  
Pickett of the 11th District,  
Dobbs.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The Speaker has appointed as a Conference Committee on the part of the House on the General Appropriation Bill,

Messrs. Ennis of Baldwin,  
Culpepper of Meriwether,  
Arnold of Clay.

The Senate took up for a third reading the following bill of the House, to-wit.:

By Messrs. Swift of Muscogee and others—

A bill to provide for leasing the Western & Atlantic Railroad.

The following amendments were read and adopted, to-wit.:

By Mr. Lawrence—

Amend sub-Section 5 of paragraph 3 by striking out the words “and whether this cost should be borne fully by the lessee or contributed to by the State and in the latter event in what proportion.”

By Mr. McCrory—

Moves to strike out all of sub-Section 4 of Section 3 and the other sub-sections numbered accordingly.

By Mr. Lawrence—

Moves to amend Section 8 by striking out the words “provided the Commission finds that this cost should be borne either partially or fully by the State.”

Committee amends by striking out after the word “Commission” in the 7th line of Section 1, the following: “and one citizen of the State to be named and appointed by the Governor and Chairman of the Railroad Commission,” and inserting in lieu thereof the following: “the Secretary of State, G. Gunby Jordan and W A. Wimbish.”

The committee further amends Section 1 by striking out all of the following words after the word “expressed” in the 15th line: “The compensation of the members of the Commission named by the Governor and Chairman of the Railroad Commission shall be such as is fixed by the Governor and Chairman of the Railroad Commission,” and inserting in lieu thereof the following: “The said G. Gunby Jordan and W A. Wimbish shall receive such compensation as a majority of the Commission may fix.”

“Section 1A. Be it further enacted, That in the event either of the two or both should decline to accept the appointment, the remaining members of said Commission shall elect some other member or members to serve in his or their stead.”

Committee amends Section 16 by inserting after the word "make" and before "report" the words, "at its discretion and."

Committee amends as follows, by adding to Section 2, the following:

"In execution of this power the Commission shall have the same authority as the superior courts of this State to enforce its orders by subpœnea or otherwise, and the same may be directed to the Sheriff of Fulton County or any other county in this State, whose duty it shall be to serve all summonses and enforce all orders. Said Commission is hereby invested with the same power as is now reposed in superior courts to punish for contempt of its orders. All sheriffs' fees for such services as may be performed under the order of the Commission shall be the same as those now provided by law, which shall be paid out of the funds appropriated for the enforcement of this Act."

Strike all of Section 4, and insert in lieu thereof the following: "The Commission shall have the authority and power to appoint and employ a secretary and such experts as it may deem necessary to enable it to carry out the duties imposed upon it by the terms of this Act, and to prescribe their duties and fix their compensation for services so rendered."

Amend Section 5 by striking the words "director for the" in line 2. Also amends sub-paragraph 1, of Section 5 by striking the word "he" in line 1, and inserting the word "it." By inserting after the

word "prepared" in line 1 of said sub-Section 1 the words: "if not otherwise obtainable."

Amends by striking all of sub-paragraphs 3 and 4, of Section 5.

Amends sub-paragraph 5 of Section 5 by striking the word "he" in line 1 and inserting in lieu thereof the word "it."

Amends by striking all of the words beginning with the word "the" in the last paragraph of sub-paragraph 5 of Section 5, and ending with the word "direct."

Amend Section 6A by striking the words "to which" between the words "matters" and "pertinent" line.

Amends Section 7 by striking all of the words after the word "Assembly" in line 8, the words "on the first day of its next session," and insert in lieu thereof the words "at the earliest practicable time."

Amends Section 8 by striking the words "to have its director and counsel" in lines 2 and 3.

Also amends said Section 8 by striking the words "of the Commission" in line 31 and insert the words "which in its opinion."

Also amends Section 8 by striking the words "in the opinion of the Commission and its Director and counsel and any other and further" in lines 32 and 33 thereof.

Amends Section 10 by striking the word "com-

pany" wherever it is connected with the words "Western & Atlantic Railroad."

Also amends Section 10 by striking the words "of Attorney-General" in line 29 thereof.

Amend Section 10A by inserting after the word "counties" before the word "through" the words "in this State."

Amend Section 11 by striking the word "Company" wherever it may appear as connected with the words "Western & Atlantic Railroad."

Amends Section 11 by inserting between the words "that" and "the" in line 54 the word "if," by inserting between the words "corporation" and "already" in line 55 the word "is" and by inserting after the word "Georgia" and "shall" the word "it."

Amend Section 11A by inserting the word "or" between the words "sub-let" and "re-lease" in line 2, and by striking the words "or rent for any purpose the said railroad" in line 2 and insert in lieu thereof the words: "the said W & A. Railroad."

By striking the words "nor permit the use of the tracks of said railroad for other persons than the lessee for the operation and movement of trains and traffic" in lines 4, 5, 6 and 7

Amends Section 14 by striking all of the words of said section beginning with the word "the" and ending with the word "business" in lines 6 to 11, inclusive.

Amends Section 19 by striking therefrom the following words: "that said Commission and the powers with which it shall be invested, shall cease, determine and be of no further force and effect on the fourth Wednesday in June, 1918, unless its life be further extended by legislative Act," and insert in lieu thereof the following: "annually thereafter until it has completed its duties under this Act, or shall have been discharged by joint resolution of the General Assembly."

Amends the title of the bill by striking therefrom the words: "To provide for the appointment of a Director for the Commission."

Also the following amendment was offered by Mr. McCrory:

To strike out all of Section 13 and the other sections numbered accordingly

Upon this amendment the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.:

Bailey, L. S.	Fletcher, H. M.	Stovall, A. S. J.
Bonner, T. B.	Goolsby, B. E.	Trammell, J. R.
Buchanan, W. A.	Holden, Jno. F.	Turner, T. R.
Burnside, J. B.	Moon, E. T.	Ward, C. A.
Fagan, T. V.	McCrory, C. R.	Wren, W. J.

Those voting in the negative were Messrs.:

Akin, L. R.	Haralson, Pat	Minter, C. C.
Callahan, J. W.	Harbin, T. W.	McFarland, J. R.
Carlton, J. A.	Harrison, W. T.	McLaughlin, B. F.
Dobbs, E. P.	Lawrence, A. A.	Paulk, Geo. A.
Eakes, W. J.	Mangham, J. J.	Paulk, M. J.

Pickett, D. C.  
Pickett, Roscoe

Smith, E. M.  
Tison, Mark

Tracy, C. C.  
Walker, J. D.

Those not voting were Messrs.:

Adams, J. O.  
Boykin, H. A.  
Gillis, N. L.

Peacock, Z. V.  
Ransom, W. M.

Thomas, J. R.  
Way, J. B.

Ayes 15, nays 21.

The amendment was lost.

The report of the committee was agreed to as amended.

Mr. Minter moved to table the bill.

Upon this motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Fagan, T. V.  
Harbin, T. W.

Minter, C. C.  
McFarland, J. R.

Trammell, J. R.  
Ward, C. A.

Those voting in the negative were Messrs.—

Akin, L. R.  
Bailey, L. S.  
Bonner, T. B.  
Buchanan, W. A.  
Callahan, J. W.  
Dobbs, E. P.  
Eakes, W. J.  
Fletcher, H. M.

Goolsby, B. E.  
Haralson, Pat  
Harrison, W. T.  
Holden, Jno. F.  
Lawrence, A. A.  
Mangham, J. J.  
Moon, E. T.  
McCrory, C. R.

McLaughlin, B. F  
Paulk, M. J.  
Pickett, D. C.  
Pickett, Roscoe  
Smith, E. M.  
Tracy, C. C.  
Turner, T. R.  
Walker, J. D.

Those not voting were Messrs.:

Adams, J. O.  
Boykin, H. A.  
Burnside, J. B.  
Carlton, J. A.  
Gillis, N. L.

Paulk, Geo. A.  
Peacock, Z. V.  
Ransom, W. M.  
Stovall, A. S. J.

Thomas, J. R.  
Tison, Mark  
Way, J. B.  
Wren, W. J.

Ayes 6, nays 24.

The motion was lost.

The bill was read the third time.

Upon the passage of the bill as amended, the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Akin, L. R.	Harbin, T. W.	Pickett, D. C.
Bailey, L. S.	Harrison, W. T.	Pickett, Roscoe
Bonner, T. B.	Holden, Jno. F.	Smith, E. M.
Buchanan, W. A.	Lawrence, A. A.	Tison, Mark
Callahan, J. W.	Mangham, J. J.	Tracy, C. C.
Dobbie, E. P.	Moon, E. T.	Turner, T. R.
Eakes, W. J.	McCrory, C. R.	Walker, J. D.
Fletcher, H. M.	McLaughlin, B. F.	Wren, W. J.
Haralson, Pat	Paulk, Geo. A.	

Those voting in the negative were Messrs.—

Carlton, J. A.	Minter, C. C.	Trammell, J. R.
Fagan, T. V.	McFarland, J. R.	Ward, C. A.
Goolsby, B. E.	Paulk, M. J.	

Those not voting were Messrs.:

Adams, J. O.	Gillis, N. L.	Stovall, A. S. J.
Boykin, H. A.	Peacock, Z. V.	Thomas, J. R.
Burnside, J. B.	Ransom, W. M.	Way, J. B.

Ayes 26, nays 8.

The bill, having received the requisite constitutional majority, was passed as amended.

By unanimous consent Mr. Stovall was excused from voting on the above bill.

Mr. Harrison moved that when the Senate ad-



journs this afternoon it stand adjourned until 10 o'clock tomorrow morning. The motion prevailed.

Upon motion the Senate took a recess until 3 o'clock P M.

The Senate reconvened at 3 o'clock P M., and was called to order by the President.

By unanimous consent the call of the roll was dispensed with.

The following report of the Conference Committee upon the General Appropriation Bill was read and adopted:

*Mr. President:*

We, the undersigned members of the Senate and House Committees of Conference on Senate Amendments 5, 15 and 16b to the General Appropriation Bill, beg to report that we have agreed on the following, viz.:

Amendment 5. Soldiers' Home. That the Senate recede from its position on this amendment.

Amendment 15. Prison Department. We agree that this amendment be amended by striking the figures \$110,000 for 1916 and substituting therefor \$105,000.

Amendment No. 16b. Military Department. We agree that this amendment be amended by striking the figures \$40,000 and substituting therefor \$30,000, and we further agree to recede and adopt that part

of Section 7 of House bill beginning with line 388 and including line 400.

JNO. D. WALKER,  
D. C. PICKETT,  
E. P. DOBBS,

For the Senate.

J. H. ENNIS,  
N. F. CULPEPPER,  
ZACH ARNOLD,

For the House.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the report of the Conference Committee on the following bill of the House, to-wit.:

A bill making the general appropriations for 1916 and 1917

Also, the House has adopted the following resolution of the House, to-wit.:

A resolution thanking Hon. Hooper Alexander for securing and preserving certain records in connection with the Western & Atlantic Railroad.

The Senate took up the following Senate resolution for the purpose of acting on the amendment of the House, to-wit.:

By Mr. Harrison—

A resolution providing for bringing up the unfinished business of the General Assembly

The House proposes to amend by striking the words "five days" wherever the same occurs and inserting the words "three days."

Upon motion the Senate disagreed to the amendment of the House.

At 3:15 o'clock P. M. the Senate took a recess subject to the call of the Chair.

The Senate reconvened at 4:45 o'clock P. M., and was called to order by the President.

The following House resolution was withdrawn from the Committee on Appropriations, read the second time and recommitted to said committee, to-wit.:

By Mr. Fullbright—

A resolution to make appropriation to meet the deficiency in the printing fund of 1915, to make the same immediately available, and for other purposes.

Mr. Akin of the 4th District, Chairman of the Committee on Finance, submitted the following report:

*Mr. President:*

Your Committee on Finance has had under consideration the following bill of the House and instructed me as their chairman to report same back to the Senate with the recommendation that same do pass as amended, to-wit.:

A bill to provide for the registration of automobiles.

Respectfully submitted,

L. R. AKIN, Chairman.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has agreed to the Senate Amendments Nos. 1, 3, 9, 11, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 28 and 29 to the following bill of the House, to-wit.:

A bill providing for the leasing or other disposition of the W. & A. R. R.

The House has agreed to Senate Amendment No. 10, as amended.

The House has disagreed to the following Senate amendments, to-wit.: Nos. 4, 5, 6, 7, 8, 12, 21, 25, 26, 27

Upon motion the following House bill was taken up for the purpose of acting on the disagreement of the House to Senate amendments, to-wit.:

By Messrs. Swift of Muscogee and others—

A bill to provide for leasing the Western & Atlantic Railroad.

Upon motion of Mr. Lawrence the Senate insisted upon all of its amendments to the above bill.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House insists upon its disagreement to Senate Amendments Nos. 4, 5, 6, 7, 8, 12, 21, 25, 26 and 27 to the following bill of the House, to-wit.:

A bill to provide for the leasing or other disposition of the Western & Atlantic Railroad.

And requests the appointment of a Conference Committee.

Upon motion of Mr. Dobbs, the Senate agreed to the request of the House for the appointment of a Conference Committee upon the bill providing for leasing the Western & Atlantic Railroad.

The President appointed the following as members of the Conference Committee on part of the Senate:

Messrs. Dobbs of the 35th District,  
Paulk of the 6th District,  
McLaughlin of the 36th District.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has appointed as a Conference Committee on the following bill of the House, to-wit.:

A bill providing for the leasing or other disposition of the W & A. R. R.,  
Messrs. Andrews of Fulton,  
Swift of Muscogee,  
Yeomans of Terrell.

The following Senate resolution was taken up to be put upon its passage:

By Mr. Walker—

A resolution providing for a joint committee of

two from the Senate and three from the House, to be appointed by the President of the Senate and Speaker of the House to consider the warehouse question, during vacation, without expense to the State and report at the next session of the General Assembly.

Mr. McCrory moved to indefinitely postpone the resolution and upon this motion the ayes and nays were ordered.

The vote was as follows:

Those voting in the affirmative were Messrs.:

Bailey, L. S.	Lawrence, A. A.	Stovall, A. S. J.
Bonner, T. B.	Minter, C. C.	Tison, Mark
Fagan, T. V.	Moon, E. T.	Tracy, C. C.
Goolsby, B. E.	McCrory, C. R.	Trammell, J. R.
Holden, Jno. F.		

Those voting in the negative were Messrs.:

Akin, L. R.	Haralson, Pat	Pickett, D. C.
Buchanan, W. A.	Harrison, W. T.	Pickett, Roscoe
Burnside, J. B.	Mangham, J. J.	Turner, T. R.
Dobbs, E. P.	McFarland, J. R.	Walker, J. D.
Eakes, W. J.	McLaughlin, B. F.	Wren, W. J.
Fletcher, H. M.	Paulk, Geo. A.	

Those not voting were Messrs.:

Adams, J. O.	Harbin, T. W.	Smith, E. M.
Boykin, H. A.	Paulk, M. J.	Thomas, J. R.
Callahan, J. W.	Peacock, Z. V.	Ward, C. A.
Carlton, J. A.	Ransom, W. M.	Way, J. B.
Gillis, N. L.		

Ayes 13, nays 17

The motion was lost.

The resolution was then adopted.

Upon motion the Senate adjourned until 10 o'clock tomorrow morning.

SENATE CHAMBER, ATLANTA, GA.,

Thursday, November 25, 1915.

The Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journal of yesterday's session was dispensed with.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House recedes from its amendment to the following resolution of the Senate, to-wit.:

A resolution providing for the bringing up of the unfinished business of the General Assembly.

Also, the House has adopted as amended the following resolution of the Senate, to-wit.:

A resolution appointing a committee to consider a warehouse bill during vacation.

The following bill of the House was taken up for a third reading, to-wit.:

By Mr. Jones of Coweta—

A bill to provide for the annual registration of automobiles and for other purposes.

The following amendments were read and adopted, to-wit.:

Mr. Elakes moves to amend:

By striking the proviso as to dimming lights at the end of Section 9.

Committee amends by striking the word “or” in line 22 after the word “employer” and before the word “for” in Section 3.

Committee amends by adding the word “chauffeur” and before the word “shall” in line 8 of Section 4 the following: “employed to operate motor vehicles.”

Amends by adding to Section 6 as follows: “For every non-passenger carrying commercial motor vehicle or truck exceeding five tons weight, six dollars.”

Committee moves to amend by striking “a” in the 14th line of Section 10 and insert in lieu thereof the word “said.”

Committee moves to amend by striking the words “portion of” in line 18 of Section 10.

The committee moves to amend H. B. No. 9 by adding the following to Section 10: “That it shall be unlawful for any person to drive any motor cycle or motor vehicle on the public streets or highways of this State which is not equipped with an adequate



muffler so as to effectually reduce the sound of the exhaust of the motor, and any person operating a motor cycle or motor on the public streets or highways of this State without an adequate muffler, or with the muffler "cut out," shall be guilty of a misdemeanor and upon conviction shall be punished as is provided in Section 1065 of the Criminal Code of 1910."

Committee amends by striking the word "eighteen" in line seventeen in Section 13 and inserting in lieu thereof the word "sixteen."

Mr. Dobbs moves to amend by adding to Section 17 "provided no additional license fee shall be charged by any municipality."

Committee moves to amend by striking the word "accusation" in line 10 in Section 18 and inserting in lieu thereof the word "warrant."

Committee moves to amend Section 18 by adding at the end of said section the following: "Provided, however, that upon the failure of the sheriff of any county to enforce the provisions of this section, the Secretary of State shall have the right to employ an inspector in said county at not more than four dollars per day and his actual expenses upon an itemized sworn statement furnished by said inspector to seek out and require all owners of motor vehicles to register said vehicles in accordance with this Act."

Committee amends by adding after the word

“number” in the eleventh line of Section 20 the words “of miles of public roads.”

The report of the committee as amended was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill, having received the requisite constitutional majority, was passed as amended.

The following messages were received from His Excellency, the Governor, through his Secretary, Mr. Jones:

*Mr President:*

I am directed by His Excellency, the Governor, to deliver to the Senate, under seal, communications in writing, for which he requests consideration.

The following House resolutions and bills were read the third time and put upon their passage, to-wit.:

By Mr. Connor of Spalding—

A resolution to pay certain expenses of the Russell investigation.

The report of the committee was agreed to, and upon the passage of the resolution the vote was as follows:

Those voting in the affirmative were Messrs.:

Bailey, L. S.  
Bonner, T. B.

Buchanan, W. A.  
Burnside, J. B.

Callahan, J. W.  
Carlton, J. A.

Dobbs, E. P.	Mangham, J. J.	Pickett, Roscoe
Eakes, W. J.	Minter, C. C.	Smith, E. M.
Fagan, T. V.	Moon, E. T.	Stovall, A. S. J.
Fletcher, H. M.	McCrory, C. R.	Tison, Mark
Goolsby, B. E.	McFarland, J. R.	Tracy, C. C.
Haralson, Pat	McLaughlin, B. F.	Trammell, J. R.
Harrison, W. T.	Paulk, Geo. A	Turner, T. R.
Holden, Jno. F.	Paulk, M. J.	Ward, C. A.
Lawrence, A. A.	Pickett, D. C.	Wren, W. J.

Those not voting were Messrs.—

Adams, J. O.	Harbin, T. W.	Thomas, J. R.
Akin, L. R.	Peacock, Z. V.	Walker, J. D.
Boykin, H. A.	Ransom, W. M.	Way, J. B.
Gillis, N. L.		

Ayes 33, nays 0.

The resolution, having received the requisite constitutional majority, was passed.

By Mr. Fullbright of Burke—

A resolution to pay expenses of committee visiting Deaf and Dumb School.

The report of the committee was agreed to, and upon the passage of the resolution the vote was as follows:

Those voting in the affirmative were Messrs.—

Bailey, L. S.	Haralson, Pat	Pickett, D. C.
Bonner, T. B.	Harrison, W. T.	Pickett, Roscoe
Buchanan, W. A.	Holden, Jno. F.	Smith, E. M.
Burnside, J. B.	Lawrence, A. A.	Stovall, A. S. J.
Callahan, J. W.	Mangham, J. J.	Tison, Mark
Carlton, J. A.	Minter, C. C.	Tracy, C. C.
Dobbs, E. P.	Moon, E. T.	Trammell, J. R.
Eakes, W. J.	McCrory, C. R.	Turner, T. R.
Fagan, T. V.	McFarland, J. R.	Ward, C. A.
Fletcher, H. M.	Paulk, M. J.	Wren, W. J.
Goolsby, B. E.		

Those not voting were Messrs.—

Adams, J. O.	Harbin, T. W.	Ransom, W. M.
Akin, L. R.	McLaughlin, B. F.	Thomas, J. R.
Boykin, H. A.	Paulk, Geo. A.	Walker, J. D.
Gillis, N. L.	Peacock, Z. V.	Way, J. B.

Ayes 31, nays 0.

The resolution, having received the requisite constitutional majority, was passed.

By Mr. Fullbright of Burke—

A bill to appropriate the sum of \$14,210.83 to supply deficiency in the funds appropriated for the maintenance of and repairs to the Capitol and Mansion and the grounds thereof.

The report of the committee was agreed to.

Upon the passage of the bill the vote was as follows:

Those voting in the affirmative were Messrs.—

Bailey, L. S.	Harrison, W. T.	Fickett, Roscoe
Bonner, T. B.	Holden, Jno. F.	Smith, E. M.
Burnside, J. B.	Lawrence, A. A.	Stovall, A. S. J.
Callahan, J. W.	Mangham, J. J.	Tison, Mark
Carlton, J. A.	Minter, C. C.	Tracy, C. C.
Dobbs, E. P.	Moon, E. T.	Trammell, J. R.
Eakes, W. J.	McCrory, C. R.	Turner, T. R.
Fagan, T. V.	McFarland, J. R.	Ward, C. A.
Fletcher, H. M.	McLaughlin, B. F.	Way, J. B.
Goolsby, B. E.	Paulk, M. J.	Wren, W. J.
Haralson, Pat	Pickett, D. C.	

Those voting in the negative were Messrs.:

Buchanan, W. A.

Those not voting were Messrs.—

Adams, J. O.	Harbin, T. W.	Ransom, W. M.
Akin, L. R.	Paulk, Geo. A.	Thomas, J. R.
Boykin, H. A.	Peacock, Z. V.	Walker, J. D.
Gillis, N. L.		

Ayes 32, nays 1.

The bill, having received the requisite constitutional majority, was passed.

By Mr. Fullbright of Burke—

A bill to appropriate \$2,500 to the Georgia Experiment Station.

The report of the committee was agreed to. Upon the passage of the bill the vote was as follows:

Those voting in the affirmative were Messrs.—

Bailey, L. S.	Lawrence, A. A.	Pickett, Roscoe
Bonner, T. B.	Mangham, J. J.	Smith, E. M.
Buchanan, W. A.	Minter, C. C.	Stovall, A. S. J.
Burnside, J. B.	Moon, E. T.	Tison, Mark
Carlton, J. A.	McCrary, C. R.	Tracy, C. C.
Dobbs, E. P.	McFarland, J. R.	Trammell, J. R.
Eakes, W. J.	McLaughlin, B. F.	Turner, T. R.
Goolsby, B. E.	Paulk, Geo. A.	Ward, C. A.
Haralson, Pat	Paulk, M. J.	Way, J. B.
Harrison, W. T.	Pickett, D. C.	Wren, W. J.
Holden, Jno. F.		

Those voting in the negative were Messrs.:

Fagan, T. V.

Those not voting were Messrs.—

Adams, J. O.	Fletcher, H. M.	Ransom, W. M.
Akin, L. R.	Gillis, N. L.	Thomas, J. R.
Boykin, H. A.	Harbin, T. W.	Walker, J. D.
Callahan, J. W.	Peacock, Z. V.	

Ayes 31, nays 1.

The bill, having received the requisite constitutional majority, was passed.

The Senate went into executive session at 11:25 o'clock A. M.

At 11:35 o'clock A. M. the Senate dissolved the executive session. The Senate was called to order by the President.

The following House resolution was read and adopted:

By Messrs. Hutcheson of Turner, Culpepper of Meriwether and Swift of Muscogee—

A resolution thanking Hon. Hooper Alexander for rescuing and preserving certain records in connection with the Western & Atlantic Railroad.

The Senate took up the following resolution of the Senate, for the purpose of acting upon the House amendment, to-wit.:

By Mr. Walker—

A resolution providing for a joint committee to consider the warehouse question, during the vacation of the General Assembly.

The House amends by striking the words "two from the Senate and three from the House" wherever the same occurs and insert in lieu thereof the following: "three from the Senate and five from the House."

The amendment was agreed to.

The President appointed the following as members of the committee to consider the warehouse question, on part of the Senate:

Messrs. Walker,  
Mangham,  
Wren.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has agreed to the following Senate amendments, to-wit.: Nos. 1, 2, 3, 4, 6, 7, 8, and 9, and has disagreed to Senate Amendment No. 5, of the following bill of the House, to-wit.:

A bill providing for the annual registration and identification of motor vehicles.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the report of the Conference Committee on the Western & Atlantic Railroad Bill.

The Committee on Conference upon the bill to provide for leasing the Western & Atlantic Railroad, submitted the following report, to-wit.:

*Mr President:*

The Conference Committee appointed to consider the differences between the House and Senate on

House Bill No. 1, beg leave to submit the following report:

We recommend, first, the adoption of the following substitute for Senate Amendments 5, 6 and 7, same to be numbered and constitute Section 1 of the bill:

Section 1. There is hereby created a Commission to be known as the Western & Atlantic Railroad Commission which shall be composed of the Governor of the State, the Chairman of the Railroad Commission, G. Gunby Jordan, Judson L. Hand and Fuller E. Callaway. W. A. Wimbish is hereby named as attorney and counsel for the Commission and his salary shall be fixed by the Commission. The Commission so constituted shall perfect its own organization and adopt such rules and employ such methods of procedure as it may deem most expedient to the end in view, subject to such limitations and directions as may be hereinafter expressed. The members of said Commission other than the Governor and the Chairman of the Railroad Commission shall receive such compensation as the Governor and the Chairman of the Railroad Commission may fix. In the event that either G. Gunby Jordan, Judson L. Hand or Fuller E. Callaway should decline to accept appointment to the Commission, the remaining members of said Commission shall elect some other person or persons to serve in the vacancy or vacancies thus created.

2d. We recommend that the Senate recede from its amendment No. 8.

3d. We recommend that the Senate recede from



its disagreement to the House amendment to Senate Amendment No. 10, and that Senate Amendment No. 10 as amended by the House be adopted.

4th. We recommend that the Senate recede from its amendment No. 12.

5th. We recommend that the House recede from its disagreement to Senate Amendment No. 21.

6th. We recommend that Senate Amendment No. 26 be agreed to with an amendment of the Conference Committee so that Section 11A of House Bill No. 1 will read as follows:

“Section 11A. The said lessee shall not sublet, or re-lease the said Western & Atlantic Railroad or any part thereof, without the approval in writing of the Governor of the State; provided, however, that the Commission herein created shall have the power and authority to prescribe the terms and conditions under which the tracks may be used by other railroads in cases of emergency. All improvements, betterments or additions to, in or upon the said road or any part thereof, or any part leased thereunder, made by the lessee or its tenants, shall become, upon the expiration of the lease, part of and belong to the State of Georgia.”

7th. We recommend that the House recede from its disagreement to Senate Amendment No. 27.

Respectfully submitted,

H. H. SWIFT,

WALTER P. ANDREWS,

M. J. YEOMANS,

Members of the Conference Committee from the  
House.

GEO. A. PAULK,  
B. F. McLAUGHLIN,  
E. P. DOBBS,

Members of the Conference Committee for the  
Senate.

Upon the adoption of the report of the Conference  
Committee the ayes and nays were ordered and the  
vote was as follows:

Those voting in the affirmative were Messrs.—

Bailey, L. S.	Haralson, Pat	McLaughlin, B. F.
Bonner, T. B.	Harrison, W. T.	Paulk, Geo. A.
Burnside, J. B.	Holden, Jno. F.	Paulk, M. J.
Callahan, J. W.	Lawrence, A. A.	Tison, Mark
Carlton, J. A.	Nangham, J. J.	Tracy, C. C.
Dobbs, E. P.	Moon, E. T.	Way, J. B.
Elkes, W. J.	McCrory, C. R.	

Those voting in the negative were Messrs.—

Buchanan, W. A.	Minter, C. C.	Trammell, J. R.
Fagan, T. V.	McFarland, J. R.	Turner, T. R.
Fletcher, H. M.	Pickett, D. C.	Ward, C. A.
Goolsby, B. E.	Stovall, A. S. J.	

Those not voting were Messrs.—

Adams, J. O.	Harbin, T. W.	Smith, E. M.
Akin, L. R.	Peacock, Z. V.	Thomas, J. R.
Boykin, H. A.	Pickett, Roscoe	Walker, J. D.
Gillis, N. L.	Ransom, W. M.	Wren, W. J.

Ayes 20, nays 11.

The report was adopted.

Upon motion of Mr. Stovall the Senate recessed  
from Amendment No. 5 to the bill of the House, to

provide for the annual registration of automobiles, etc.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Jones :

*Mr President :*

I am directed by His Excellency, the Governor, to deliver to the Senate a communication in writing.

The following communication from the Governor was read :

STATE OF GEORGIA.  
EXECUTIVE DEPARTMENT.  
ATLANTA.

November 25, 1915.

*To the General Assembly :*

GENTLEMEN : This message is in the nature of a congratulatory communication and is sent to you out of a heart full of gratitude on this Thanksgiving Day.

You came to the extraordinary session at the busiest time of the year ; you have worked faithfully and diligently on the business for which you were called. You have finished the work which the Executive had given you with the exception of one measure, which it is believed, as was suggested in a former message, can be left to the subsequent session in the summer.

I wish for you all pleasure and happiness at the approaching holidays and the joy that arises out of a sense of duty well done.

There have been some differences among you, and some have differed from the Executive; but this is all past history, and harmony for the future ought to be the sincere desire of all our hearts. I congratulate you on the work of the session; I rejoice with you that you have reached the end. I thank you for what you have done for your State, and personally, for the great respect you have shown me at all times.

I join you in the hope that your people will appreciate your work, and I trust that the Giver of all good will send you every needed blessing in the years to come.

Wishing you a merry Christmas and a happy New Year, I am,  
Respectfully yours,  
N. E. HARRIS, Governor.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following joint resolutions of the House, to-wit.:

A resolution providing adjournment sine die for the General Assembly

A resolution providing for a joint committee of the House and Senate to notify the Governor that the General Assembly is now ready to adjourn sine die.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The Speaker has appointed the following members as committee on the part of the House to notify the Governor that the General Assembly is now ready to adjourn,

Messrs. Blackburn of Fulton,  
Walker of Bleckley,  
Barber of Grady

The Speaker has appointed the following members as the committee on the part of the House under the Senate resolution providing for committee to investigate the warehouse question during vacation:

Messrs. Jones of Coweta,  
Stewart of Coffee,  
Shipp of Colquitt,  
Taylor of Washington,  
Roberts of Hall.

The following House resolution was read and adopted, to-wit.:

By Mr. Blackburn of Fulton—

A resolution providing for a joint committee of two from the Senate and three from the House to wait upon His Excellency, the Governor, and inform him that the General Assembly is now ready to adjourn sine die.

The President appointed the following as the committee on part of the Senate:

Messrs. Goolsby  
Tracy.

Mr. Goolsby on part of the committee from the Senate to wait upon His Excellency, the Governor, and inform him that the General Assembly is ready to adjourn sine die, reported that they had performed their duty, and that the Governor stated that he congratulated the General Assembly on their good work done during the extraordinary session and that he desired to convey his best wishes to each and every member of the body

Mr. Burnside of the 29th District, Acting Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

Your Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives the following Act and resolutions, to-wit.:

An Act to provide for the protection and propagation of fish, shrimp, prawn, oysters, etc.

A resolution providing for the bringing up of the unfinished business of the General Assembly.

A resolution authorizing the various committees of the Senate and House to visit institutions of the State during vacation.

A resolution providing for a joint committee from the Senate and House to sit in vacation and consider the warehouse question.

Respectfully submitted,  
J. B. BURNSIDE, Acting Chairman.

Mr. Burnside of the 29th District, Acting Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

Your Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House of Representatives, and delivered to the Governor, the following Act and resolutions, to-wit.:

An Act to provide for the protection and propagation of fish, shrimp, prawn, oysters, etc.

A resolution providing for the bringing up of the unfinished business of the General Assembly.

A resolution authorizing the various committees of the Senate and House to visit the institutions of the State during vacation.

A resolution providing for a joint committee from the Senate and House to sit in vacation and consider the warehouse question.

Respectfully submitted,  
J. B. BURNSIDE, Acting Chairman.

The following resolution was read and adopted, to-wit.:

By Mr. Tracy—

A resolution providing that the General Assembly do now adjourn sine die.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following resolution of the Senate, to-wit.:

A resolution providing that the General Assembly do now stand adjourned sine die.

The President then declared the Senate adjourned sine die.





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**TO THE**

**SENATE JOURNAL**

**FOR THE**

**EXTRAORDINARY SESSION**

**1915**



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